

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE

1897

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PUBLIC LAWS
OF THE
STATE OF MAINE.

1897.

sioners of the county of Cumberland may allow said sheriff and his deputies such additional compensation as seems to them advisable, in addition to the compensation given by this section.'

Sect. 2. This act shall not in any way affect, apply to, nor prejudice any pending action, nor any cause of action that has already accrued to sheriffs and their deputies for their fees under existing laws.

Sect. 3. This act shall take effect when approved.

Approved March 27, 1897.

CHAP. 318

Act shall not apply to pending actions.

Chapter 318.

An Act to amend Section nine of Chapter three hundred and fifteen of the Public Laws of eighteen hundred and ninety-three, relating to the salary of the Assistant Librarian of the Maine State Library.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section nine of chapter three hundred and fifteen of the public laws of eighteen hundred and ninety-three is hereby amended by striking out in the third line of said section, the words "five hundred dollars" and inserting in place thereof 'eight hundred dollars,' so that said section, as amended, shall read as follows:

'Sect. 9. The salary of the librarian shall be twelve hundred dollars. He shall employ one regular assistant librarian whose salary shall be eight hundred dollars, the sums stated shall be in full for all services rendered in connection with the library.'

Approved March 27, 1897.

Section 9, chapter 315, public laws, 1893, amended.

Salary of librarian and assistant, established.

Chapter 319.

An Act amendatory and additional to Chapter forty-seven of the Revised Statutes, as amended by Chapter sixty-one of the Public Laws of eighteen hundred and eighty-seven, and to Chapter two hundred and seventy-four of the Public Laws of eighteen hundred and ninety-three, relating to Loan and Building Associations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sect. 1. Section one hundred and thirty-nine of chapter sixty-one of the public laws of eighteen hundred and eighty-seven, is hereby amended by striking out all of said section and inserting the following:

Section 139, chapter 61, public laws, 1887, amended.

CHAP. 319

Directors shall invest funds.

—loans to members, how effected.

—balances remaining unloaned, how invested.

Section 147, amended.

Accounts, how kept and business, how transacted.

‘Sect. 139. The board of directors shall see to the proper investment of the funds of the association, as provided in this section. After due allowance for all necessary and proper expenses, and for the withdrawal of shares, the moneys of the association shall be loaned to the members at a rate of monthly premium to be fixed by the directors, which shall in no case exceed forty cents per share. Any member may, upon giving security satisfactory to the directors, receive a loan of two hundred dollars for each share held by him, or such fractional part of two hundred dollars as the by-laws may allow. Any association may provide in its by-laws that instead of the interest and premium, a stated rate of annual interest not to exceed eight per cent, may be charged upon the sum desired, payable in monthly installments. Such rate shall include the whole interest and premium to be paid upon the loan. Any balance remaining unloaned to members may be invested in such securities as are legal for the investment of deposits in savings banks. No loan shall be made on the gross premium plan.

Sect. 2. Section one hundred forty-seven of chapter sixty-one of the public laws of eighteen hundred and eighty-seven, is hereby amended by striking out all of said section and inserting the following:

‘Sect. 147. The general accounts of every such association shall be kept by double entry. The secretary shall at least once each month make and declare a trial balance, which shall be recorded in a book provided for that purpose, and it shall at all times be open to the inspection of the directors and shareholders of the association. All moneys received from the members shall be receipted for by persons designated by the directors in a pass book provided by the association for the use of and to be held by the member, and said pass book shall be plainly marked with the name and residence of the holder thereof, the number of shares held by him and the number or designation of the series or issue to which said shares respectively belong and the date of the issue of such series. All moneys so received shall be originally entered by the proper officer in a book to be called the cash book, and the entries therein shall be so made as to show the name of the payer, the number of the shares, the number or designation of the series, or issues of the particular share, or shares so entered, together with the amount of dues, interest, premiums and fines paid thereon, as the case may be. Each payment shall be class-

ified and entered in a column devoted to its kind. Said cash book shall be closed on the last day of the month in which each stated meeting is held, and shall be an exhibit of the receipt of all moneys paid by shareholders during said month. All payments made by the association for any purpose whatsoever, shall be by order, check or draft, signed by the president and secretary, and indorsed by the persons in whose favor the same are drawn. The name of the payee, the amount paid, and the purpose, object or thing for which the payment is made, together with its date, shall be entered on the margin of said order, check or draft. The treasurer shall dispose of and secure the safe keeping of all moneys, security and property of the corporation, in the manner designated by its by-laws.'

—duty of treasurer.

Sect. 3. Section one hundred and forty-eight of chapter sixty-one of the public laws of eighteen hundred and eighty-seven, is hereby amended by striking out in the eleventh line of said section, the word "one" and inserting the word 'three,' and by striking out in the same line the word "five" and inserting the word 'ten,' so that said section, as amended, shall read as follows:

Section 148, amended.

'Sect. 148. The profits and losses may be distributed annually, semi-annually or quarterly, to the shares then existing, but shall be distributed at least once in each year, and whenever a new series of shares is to be issued. Profits and losses shall be distributed to the various shares existing at the time of such distribution, in proportion to their value at that time, and shall be computed upon the basis of a single share, fully paid to the date of distribution. Losses shall be apportioned immediately after their occurrence. At each periodical distribution of profits, the directors shall reserve as a guaranty fund a sum not less than three nor more than ten per cent of the net profits accruing since the next preceding adjustment, until such fund amounts to five per cent of the dues capital, which fund shall thereafter be maintained and held, and said fund shall be at all times available to meet losses in the business of the association from depreciation in its securities or otherwise.'

Profits and losses, when and how distributed.

—guaranty fund.

Sect. 4. Section one hundred and fifty-one of chapter sixty-one of the public laws of eighteen hundred and eighty-seven, is hereby amended by striking out all of said section and inserting the following:

Section 151, amended.

'Sect. 151. The bank examiner shall perform, in reference to all loan and building associations, the same duties and shall

Shall be subject to examination.

CHAP. 319

tion by
bank ex-
aminer.

—report an-
nually.

have the same powers as are required of him or given to him in reference to savings banks; and shall, annually, by the first day of December, make a report to the governor and council of the general conduct and condition of each of the associations visited by him, making such suggestions as he deems expedient and that the public interest require. The officers of such associations shall answer truly all inquiries made, and shall make all returns required by the bank examiner.'

Section 152,
added.

Sect. 5. Chapter sixty-one of the public laws of eighteen hundred and eighty-seven, is hereby further amended by adding thereto the following sections:

Secretary
and treas-
urer shall
give bonds.

'Sect. 152. The secretary, treasurer, and other persons holding positions of trust in loan and building associations shall give bonds to the corporation for the faithful discharge of the duties of their offices in such sums as the directors decide to be necessary for the safety of the funds, and such bonds shall continue to be valid from year to year so long as they are elected and hold said offices, subject to renewal whenever ordered by the bank examiner, or directors. The directors may, in lieu of said bond, insure at the expense of the association with some fidelity or guaranty company which shall be satisfactory to the examiner, for the faithful discharge of the duties of the secretary and treasurer and such other clerks as may be employed, in such sums as they may decide to be necessary for the safety of the funds in the custody of the corporation. The examiner shall annually examine the bonds given, as aforesaid, and inquire into and certify to the sufficiency thereof, and when he deems any such bond insufficient he shall order a new bond to be given, within a time by him specified.'

—bonds
shall be
valid from
year to
year, sub-
ject to re-
newal when
ordered.

—may in-
sure with
some guar-
anty com-
pany, in
lieu of
bond.

—bonds
shall be ex-
amined an-
nually.

Section 153,
added.

—shall in-
sure all real
estate.

'Sect. 153. Directors shall cause all real estate of an insurable character held by them absolutely or in mortgage, to be fully insured against loss by fire or lightning and the expense of such insurance in case of mortgage shall be added to the amount of the mortgage debt, to be refunded in case of payment or redemption.'

Chapter 274,
laws, 1893,
amended.

Sect. 6. Chapter two hundred and seventy-four of the public laws of eighteen hundred and ninety-three, entitled "An Act for the taxation of the loan and building associations," is hereby amended by striking out the word "Saturdays" in the second line of the first section thereof and inserting the words 'secular days,' so that said section, as amended, shall read as follows:

'Sect. 1. Every loan and building association doing business in this state shall semi-annually on the last secular days of April and October make a return signed and sworn to by its secretary of its monthly capital dues paid in by its shareholders during the six months preceding each of said days, exclusive of withdrawals, fines, interest and premiums. Said return shall be made to the treasurer of state on or before the second Mondays of May and November, and for willfully making a false return, the secretary forfeits not less than five hundred nor more than five thousand dollars. The treasurer of such association shall pay to the treasurer of state a tax on account of such dues, of one-fourth of one per cent a year on the amount so returned.'

Approved March 27, 1897.

CHAP. 320

Required to make semi-annual returns.

—when.

—penalty for making false returns.

—taxation of.

Chapter 320.

An Act relating to Fraternal Beneficiary Organizations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sect. 1. A fraternal beneficiary association is hereby declared to be a corporation, society or voluntary association, formed or organized and carried on for the sole benefit of its members and their beneficiaries, and not for profit. Each association shall have a lodge system, with ritualistic form of work and representative form of government, and shall make provision for the payment of benefits in case of death, and may make provision for the payment of benefits in case of sickness, temporary or permanent physical disability, either as the result of disease, accident or old age, provided the period in life at which payment of physical disability benefits on account of old age commences, shall not be under seventy years, subject to their compliance with its constitution and laws. The fund from which the payment of such benefits shall be made, and the fund from which the expenses of such association shall be defrayed shall be derived from assessments or dues collected from its members. Payments of death benefits shall be to the families, heirs, blood relatives, affianced husband or affianced wife of, or to persons dependent upon the member. Such associations shall be governed by this act and shall be

Fraternal beneficiary association defined, and how carried on.

—shall have lodge system and make provision for death benefits, etc.

—funds shall be derived from assessments.

—benefits, to whom paid.

—exempt from provisions of insurance laws.