

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-THIRD LEGISLATURE
OF THE
STATE OF MAINE
1907.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1907.

CHAP. 185

Chapter 185.

An Act to amend Section eighteen of Chapter eight of the Revised Statutes, relating to the Taxation of Corporate Franchises.

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

Section 18,
chapter 8, R.
S., amended.

Section 1. Section eighteen of chapter eight of the revised statutes is hereby amended by striking out in line six of said section the word "twenty-five" and inserting in its place the word 'fifty.' Also by striking out in line eight the word "fifty" and inserting in its place the word 'seventy-five.' And by striking out in line ten the word "twenty-five" and inserting in its place the word 'fifty,' so that said section as amended shall read as follows:

Taxation
and rate.

'Section 18. Every corporation incorporated under the laws of the state, except such as are excepted by section twenty-six of chapter forty-seven, shall pay an annual franchise tax of five dollars, provided the authorized capital of said corporation does not exceed fifty thousand dollars; of ten dollars, provided said authorized capital exceeds fifty thousand dollars, and does not exceed two hundred thousand dollars; of fifty dollars, provided said authorized capital exceeds two hundred thousand dollars, and does not exceed five hundred thousand dollars; of seventy-five dollars, provided said authorized capital exceeds five hundred thousand dollars, and does not exceed one million dollars; and the further sum of fifty dollars a year for each one million dollars, or any part thereof, in excess of one million dollars.'

Section 2. This act shall take effect when approved.

Approved March 28, 1907.

Chapter 186.

An Act to amend Sections fourteen, fifteen and nineteen of Chapter eighty-nine of the Revised Statutes, relating to the limitation of actions against Executors and Administrators.

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

Section 14,
chapter 89,
R. S.,
amended.

Section 1. Section fourteen of chapter eighty-nine of the revised statutes is hereby amended by striking out the word "eighteen" in the twenty-third line thereof and inserting in its place the word 'twenty,' so that said section, as amended, shall read as follows:

Claims
against
estates shall

'Section 14. All claims against estates of deceased persons, except for legacies and distributive shares and for labor and

material for which suits may be commenced under section thirty-four of chapter ninety-three, shall be presented to the executor or administrator in writing, or filed in the probate court, supported by an affidavit of the claimant, or of some other person cognizant thereof, within eighteen months after affidavit has been filed in the probate court that notice has been given by said executor or administrator of his appointment; and no action shall be commenced against such executor or administrator on any such claim until thirty days after the presentation or filing of such claim as above provided. Any claim not so presented or filed shall be forever barred against the estate, except as provided in sections fifteen, sixteen, eighteen and twenty-one of this chapter.

be filed in writing with affidavit

—no action for thirty days.

—claims not filed, barred.

Actions against executors or administrators, on such claims, if brought within one year after notice is given by them of their appointment, shall be continued, without costs to either party, until said year expires and be barred by a tender of the debt within the year, except actions on claims not affected by the insolvency of the estate and actions on appeal from commissioners of insolvency or other commissioners appointed by the judge of probate. No action shall be maintained against an executor or administrator on a claim or demand against the estate, except for legacies and distributive shares, and except as provided in sections fifteen and seventeen, unless commenced within twenty months after affidavit has been filed in the probate court as provided in section forty-two of chapter sixty-six. Executors or administrators residing out of the state at the time of giving notice of their appointment, shall appoint an agent or attorney in the state, and insert therein his name and address. Executors or administrators, removing from the state, after giving notice of their appointment, shall appoint an agent or attorney in the state and give public notice thereof; service made on such agents or attorneys has the same effect as if made on such executor or administrator. When an executor or administrator, residing out of the state, has no agent or attorney in the state, service may be made on one of his sureties in the same manner and with the same effect as if made on him.'

—continuance of actions, if brought within one year after notice without costs.

—executors, etc., residing out of the state, to appoint an agent in the state.

Section 2. Section fifteen of chapter eighty-nine of the revised statutes is hereby amended by striking out the word "eighteen" in the second line thereof and inserting in its place the word 'twenty,' so that said section, as amended, shall read as follows:

Section 15, chapter 89, R. S., amended.

'Section 15. When assets come into the hands of an executor or administrator, after said term of twenty months, an action may be commenced and maintained within six months after

Action, when assets come into hands of executor, etc., after

CHAP. 187

twenty
months.

Section 19,
chapter 89,
R. S.,
amended.

Actions
against
adminis-
trators de
bonis non.

the creditor had notice of the receipt of such assets. Judgments rendered in any action authorized by this section shall not disturb payments made in good faith by the executor or administrator prior to the commencement of said action.'

Section 3. Section nineteen of chapter eighty-nine of the revised statutes is hereby amended by striking out the word "eighteen" in the first and third lines thereof and inserting in their place the word 'twenty,' so that said section, as amended, shall read as follows:

'Section 19. When a vacancy occurs within said twenty months and an administrator, de bonis non is appointed, an action may be commenced after six months from his appointment and within twenty months after affidavit has been filed by him in the probate court as provided in section forty-two of chapter sixty-six.'

Approved March 28, 1907.

Chapter 187.

An Act to amend an act entitled "An Act additional to Chapter forty-nine of the Revised Statutes, relating to Insurance and Insurance Companies," approved March six, nineteen hundred and seven.

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

Section 1. Amend section one by striking out the words, "Every policy of insurance issued to a resident of Maine by any insurance company, except a domestic life or stock insurance company," and inserting in place thereof the following words: 'every accident, health or casualty policy of insurance issued to a resident of Maine by any insurance company, assessment association or fraternal order,' and by striking out the words "each application for such policy shall have printed upon it or upon a slip attached thereto in large bold faced type the following words: 'under the laws of Maine, each applicant for a policy of insurance to be issued hereunder is entitled to be furnished with a copy of this application attached to any policy issued thereon,'" so that said section one as amended, shall read as follows:

'Section 1. Every accident, health or casualty policy of insurance issued to a resident of Maine by any insurance company, assessment association or fraternal order which contains a reference to the application of the insured, either as a part of the policy or as having any bearing thereon, must have attached thereto a correct copy of the application, and unless so attached

Section 1,
amended.

Policy
must have
correct copy
of
application.