

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

*1913*

Including Acts and Resolves of the Special Session held  
in 1912.

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Published by the Secretary of State, agreeably to Resolves of  
June 28, 1820, February 18, 1840, and March 16, 1842.

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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth  
Legislature

*1913*

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**Chapter 103.**

**CHAP. 103**

An Act to Make the Certificate of the Official Court Stenographer Sufficient Authentication of a Report of Evidence for the Law Court, and to Prescribe the Course of Procedure in the Courts in the Event of the Death of the Official Stenographer.

*Be it enacted by the People of the State of Maine, as follows :*

Section 1. In all cases coming before the law court from the supreme judicial or superior court, in which a copy of the evidence is required by statute, rule of court, or order of the presiding justice, a certificate signed by the official court stenographer, stating that the report furnished by him is a correct transcript of his stenographic notes of the testimony and proceedings at the trial of the cause, shall be a sufficient authentication thereof without the signature of the presiding justice.

Authentica-  
tion of  
evidence,  
etc., may be  
furnished  
by official  
stenogra-  
pher in cer-  
tain cases.

Section 2. When a verdict has been rendered or a decree made in any cause, in law or equity, in the supreme judicial or superior court, and a certified copy of the evidence taken by the official stenographer cannot be obtained by reason of the death or disability of such stenographer, the justice who presided at the trial of such cause may, if a motion for a new trial has been filed during the term at which the verdict was rendered, on petition therefor, after notice and hearing thereon, set aside such verdict and grant a new trial at any time within one year after it was returned, when in his opinion the evidence demands it; and exceptions allowed by such justice, when the evidence or any portion thereof is made a part of the exceptions, or an appeal taken from any decree in equity made by him, may be heard and determined by the law court either upon a statement of facts agreed upon by counsel and certified by such justice, or upon a report signed and certified by him as a true report of all the material facts in the case.

If certificate  
of official  
stenogra-  
pher can-  
not be had  
justice at  
trial of case  
may grant  
new trial.

Approved March 25, 1913.

**Chapter 104.**

An Act Relating to Fraternal Beneficiary Associations Doing Casualty Business Only.

*Be it enacted by the People of the State of Maine, as follows :*

Any fraternal, beneficiary association or order, which is carried on for the sole benefit of its members or their beneficiaries, and not for profit, which has a lodge system with a ritualistic form of work and representative form of government, and which provides benefits for the death or disability of its mem-

Certain  
fraternal  
associa-  
tions not  
obliged to  
pay death  
benefits  
may be in-  
corporated  
under chap.  
49, R. S.

CHAP. 105 bers resulting from accidental injuries, and does not obligate itself to pay natural death or funeral benefits, may be incorporated in Maine in accordance with the provisions of sections one hundred thirty-four to one hundred fifty-seven, both inclusive, of chapter forty-nine of the revised statutes; and any such association or order duly incorporated under the laws of another state or country may be authorized to do business in Maine upon complying with the provisions of said sections one hundred thirty-four to one hundred fifty-seven, both inclusive, of chapter forty-nine of the revised statutes, provided, however, that no such association shall be obliged to adopt mortuary assessment rates or to require a medical examination.

Approved March 25, 1913.

### Chapter 105.

An Act to Amend Section One Hundred Twenty-four of Chapter Six of the Revised Statutes, Relative to the Canvass of Votes by the Governor and Council.

*Be it enacted by the People of the State of Maine, as follows:*

Section 121  
of chap. 6  
R. S.,  
amended.

Section one hundred twenty-four, of chapter six of the revised statutes is hereby amended by striking out the word "Thursday" in the fourth, fifth and ninth lines of said section, and by inserting in place thereof the word 'Tuesday;' so that as amended said section shall read as follows:

Returns of  
votes shall  
be made  
to secretary  
of state.

'Section 124. The votes shall be sorted, counted, declared and recorded; and the returns of the number of ballots, and of the votes given for each elector, shall be made according to the constitution and laws, to the secretary of state, on or before the second Tuesday after such meeting; on the third Tuesday after such meeting, the governor and council shall be in session, and shall open, examine and count the returns of votes so made, and the secretary of state shall forthwith send a messenger to every city and town from which a return has not been received at his office; and the governor and council shall again meet on the Tuesday next before the first Wednesday in December, and examine and count all the votes received from the several cities, towns and plantations, and the votes of citizens in the military service lawfully returned into the secretary's office; and they shall forthwith send a certificate of election to each person who has received the greatest number of all the votes returned to said office, not exceeding the number to be chosen.'

—governor  
and council  
shall open,  
examine  
and count  
the votes.

Approved March 25, 1913.