

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.

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

AUGUSTA
KENNEBEC JOURNAL PRINT
1913

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

Chapter 114.**CHAP. 114**

An Act to Amend Chapter One Hundred Thirty-one of the Public Laws of Nineteen Hundred Eleven, Relating to Taxing Insurance in Companies Not Authorized to do Business in Maine.

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

Section 1. Chapter one hundred thirty-one, public laws of nineteen hundred eleven, is hereby amended to read as follows:

Section 1. All persons, companies, associations or corporations residing or doing business in this state that enter into any agreements with any insurance company, association, individual, firm, underwriter or Lloyd, not authorized to do business in this state, whereby said person, company, association or corporation shall enter into contracts of insurance covering risks within this state, with said unauthorized association, individual, firm, underwriter or Lloyd, for which there is a premium charged or collected, the said person, company, association, or corporation so insured shall, annually on the first day of December or within ten days thereafter, return to the insurance commissioner of this state a statement under oath for the twelve months preceding on policies or contracts of insurance or indemnity taken by the said person, company, association or corporation. Such statement shall show the amount of insurance and the gross premiums paid to each stock company for insurance during the period covered by such statement, and there may be deducted from the gross premiums any premiums returned to the insured on policies cancelled where such policies have been issued during the term covered by the statement or premiums returned on policies cancelled where such original premiums have been previously taxed under this act; or if the insurance or indemnity is with a mutual company or association or individual or through an attorney for individuals, partnerships or corporations, or firm or Lloyds, such statement shall show the amount of insurance or indemnity and gross premium or deposit or payment made to secure such insurance or indemnity and from said gross premium or deposit or payment there may be deducted any premiums returned to the insured on policies cancelled where such policies have been issued during the term covered by the statement or premiums returned on policies cancelled where such original premiums have been previously taxed under this act. The insurance commissioner shall give notice to each person, company, association or corporation filing such return of the amount of his tax, computed at two and one-half per cent of the gross premium or deposit or payment made to secure the insurance or indemnity and said tax

Chapter
131, P. L.
of 1911.
amended.

Annual re-
turns to in-
surance
commis-
sioner shall
be made.

—rate of
tax.

CHAP. 115 shall be payable to the state treasurer on or before the thirty-first day of December following.'

Penalty for refusing to make returns.

'Section 2. Any person, company, association or corporation failing or refusing to make the report required in section one of this act and to furnish all the data and information that may be required by the insurance commissioner to determine the amount due, shall be deemed guilty of a misdemeanor and upon conviction be fined not less than one hundred dollars nor more than five hundred dollars for each offense.'

This act, how construed.

'Section 3. No provision of this act shall be construed as extending to fraternal beneficiary associations, or members thereof; nor to mutual church insurance companies conducted for the protection of properties used in the service of religious denominations, or members thereof; nor to marine insurance; nor shall any provision of this act be construed as extending to insurance in unauthorized companies, written by special insurance brokers, under section ninety-nine, of chapter forty-nine, of the revised statutes of Maine.'

Approved March 25, 1913.

Chapter 115.

An Act to Amend Section Twenty-six of Chapter Fifty-one of the Revised Statutes, in Relation to the Taking of Land by Railroad Companies.

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

Section 26 of chap. 51, R. S., amended.

Section twenty-six of chapter fifty-one of the revised statutes is hereby amended by striking out from the sixteenth and seventeenth lines thereof the words "furnish the corporation with a certificate containing a definite description thereof;" and insert in place thereof the words 'make a certificate containing a definite description thereof and furnish the corporation with a true copy thereof attested by the clerk of the board;' and also inserting after the word "such" in the seventeenth line of said section the words 'copy of,' so that said section as amended shall read as follows :

Company may take land for improving road bed, stations, etc.

'Section 26. Any railroad corporation may also purchase or take and hold, as for public uses, additional land at any time required for the purpose of improving the alignment of its road, or for double-tracking its road, also land for borrow and gravel pits, necessary tracks, side-tracks, stations, coal-sheds, wood-sheds, repair shops, and car, engine and freight houses; but if the owner of said land does not consent thereto, or if the parties do not agree as to the necessity therefor or the area nec-