

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Seventh Legislature

**1915**

[supplied from page 1 of volume]

district therein, the shares of corporation stocks such as are by law of this State free from taxation to stockholders and investments in such notes and bonds secured by mortgages on real estates in this State as are exempt from taxation in the hands of individuals, and upon the balance so found assess an annual tax of one-half of one per cent; one-half of said tax shall be assessed on or before the fifteenth day of June on the balance of said deposits so ascertained for the six months ending on and including the last Saturday of April, and one-half on or before the fifteenth day of December on the balance of said deposits so ascertained for the six months ending on and including the last Saturday of October. The Board of State Assessors shall thereupon certify said assessment to the Treasurer of State, who shall forthwith notify the several trust and banking companies interested, and all taxes so assessed shall be paid semi-annually within ten days after the fifteenth days of June and December.'

—when  
assessed.

—when  
paid.

Section 3. This act shall take effect July first, nineteen hundred sixteen.

—take effect  
July 1, 1915.

Approved April 2, 1915.

## Chapter 322.

AN Act to Amend Section Eighty-two of Chapter Seventy-nine of the Revised Statutes and Sections Eight, Nine and Fourteen of Chapter One Hundred Eight of the Revised Statutes, Relating to Venires for Grand Jurors.

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

Section 1. Section eighty-two of chapter seventy-nine of the Revised Statutes is hereby amended by striking out the word "Tuesday" in the second line thereof, and inserting in place thereof the word 'day' so that said section, as amended, shall read as follows:

Ch. 79, Sec.  
82, R. S.,  
amended.

'Section 82. Venires for grand jurors to serve at said Superior courts shall be issued at least forty days before the first day of September, annually, and such jurors shall serve at every term of said courts for the transaction of criminal business throughout the year. Traverse jurors shall be drawn and returned to serve at the several terms of said courts as in the Supreme Judicial court, except that the same jurors may be required by the justice presiding to serve for two successive terms.'

Venires for  
grand  
jurors,  
when  
issued.

Traverse  
jurors,  
when  
drawn.

Section 2. Section eight of chapter one hundred eight of the Revised Statutes is hereby amended so as to read as follows:

Ch. 108, Sec.  
8, R. S.,  
amended.

CHAP. 322

Venires for grand jurors shall be issued annually.

'Section 8. Venires for grand jurors to serve at the terms of the Supreme Judicial court, shall be issued annually by each clerk for his respective county, forty days at least before the first criminal term to be held in said county on or after the first day of September; and the grand jurors shall serve at each term for the transaction of criminal business, during the year.'

Ch. 108, Sec. 9, R. S., amended.

Section 3. Section nine of chapter one hundred eight is hereby amended by striking out the following: all of line one; in line two the following "them to," "where directed" and "to"; lines three and four the following "and each constable, marshal or deputy marshal on receipt thereof," and inserting in lieu of that stricken out in lines three and four the following 'on receipt of such venires,' and by striking out the word "six" in the ninth line, and inserting in lieu thereof the word 'fourteen,' so that said section, as amended, shall read as follows:

Constables and marshals shall give notice of meetings to draw jurors.

'Section 9. The constables of the towns and organized plantations, and the constables, marshals or deputy marshals of cities, on receipt of such venires, shall notify the voters of the town, organized plantation or city, and especially the municipal officers and town, plantation and city clerk, by posting notices in two public and conspicuous places therein, and by delivering to at least two of the municipal officers and the town, plantation or city clerk written notice of said meeting at least four days before such meeting to assemble and be present at the draft of jurors called for, which shall be fourteen days at least before the time when they are ordered to attend court.'

Ch. 108, Sec. 10, R. S., amended.

Section 4. Section ten of chapter one hundred eight is hereby amended by striking out the word "four" in the eighth line thereof and inserting in lieu thereof the word 'ten' so that said section, as amended, shall read as follows:

Grand jurors irregularly drawn or incompetent shall be discharged by court.

'Section 10. When any justice of the court in term time or vacation, is satisfied that any persons returned or acting on the grand jury, were irregularly drawn, or are otherwise incompetent to act thereon, he shall discharge them, and send a certificate stating their names, to the clerk of courts for such county, which shall be recorded by him, and ordering him to issue venires for such number of new jurors, as the justice deems necessary. The clerk shall issue venires as directed, which shall be served ten days at least before the time when such jurors are ordered to attend court, and the jurors thus drawn shall serve, with those not discharged, for the remainder of the year. When the number of grand jurors is reduced by death or otherwise, such justice shall direct venires to be issued and served as aforesaid, for the additional number that he deems necessary to serve for the remainder of the year.'

Vacancies, how filled.

Section 5. Section fourteen of chapter one hundred eight is hereby amended by striking out the word "four" in the second line thereof and inserting in lieu thereof the word 'ten'; and further amended by striking out in the third and fourth lines thereof the following: "by reading the venire and the endorsement thereon to them," and inserting in lieu thereof the following: 'by giving them in hand' so that said section, as amended, shall read as follows:

'Section 14. A constable of a town or the constables, marshals or deputy marshals of cities, shall notify the persons thus drawn ten days at least before the sitting of the court by giving them in hand, or leaving at their usual place of abode a written notice that they have been drawn, and of the time and place of the sitting of the court where they must attend; and shall make a seasonable return of the venire with his doings thereon'

Approved April 2, 1915.

CHAP. 323

Ch. 108, Sec.  
14, R. S.,  
amended.

Notice to  
persons  
drawn and  
return of  
venires.

### Chapter 323.

An Act Additional to Chapter Eighty-four of the Revised Statutes, Relating to the Pleadings in Actions at Law on Insurance Policies.

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

Chapter eighty-four of the Revised Statutes is hereby amended by adding thereto the following:

"That in all actions at law on insurance policies a declaration in the indebtedatus assumisit on an account annexed, with an allegation that the plaintiff has complied with all conditions of the policy of insurance, mentioned in the account annexed, shall be deemed sufficient. The account annexed shall state the number of the policy and the amount claimed as due, both as principal sum, and interest, if any. The fact that the amount claimed in the account annexed varies, from the amount found to be due the plaintiff shall not defeat the action unless there be a fraudulent claim of an excessive amount. If the defendant relies upon the breach of any condition of the policy by the plaintiff, as a defense, it shall set the same up by brief statement or special plea, at its election; and all conditions the breach of which is known to the defendant and not so specially pleaded shall be deemed to have been complied with by the plaintiff.

The plaintiff by counter brief statement or replication may set up any matter waiving or legally excusing his non-compliance with conditions as alleged by the defendant. Nothing

Ch. 84, R.  
S., amended.

Indebta-  
tus assum-  
isit on an  
account  
annexed,  
shall be  
deemed  
sufficient.