

# MAINE STATE LEGISLATURE

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# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

# STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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

As Passed by the Seventy-Eighth Legislature

**1917**

[supplied from page 1 of volume]

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hundred, and upon the issuance of such new certificate any reserve upon the original certificate herein provided for shall be transferred to the credit of the new certificate. Neither the person who originally made application for benefits on account of such child, nor the beneficiary named in such original certificate, nor the person who paid the contributions, shall have any vested right in such new certificate, the free nomination of a beneficiary under the new certificate being left to the child so admitted to benefit membership.

**Sec. 4. Society must make separate financial statement to insurance commissioner.** Accounts to be kept separate as long as certificates remain in force. An entirely separate financial statement of the business transactions and of assets and liabilities arising therefrom shall be made in its annual report to the insurance commissioner by any society availing itself of the provisions hereof. The separation of assets, funds and liabilities required hereby shall not be terminated, rescinded or modified, nor shall the funds be diverted for any use other than as specified in section three, as long as any certificates issued hereunder remain in force, and this requirement shall be recognized and enforced in any liquidation, reinsurance, merger or other change in the condition of the status of the society.

**Sec. 5. Constitution and by-laws may provide for specified payments.** Any society shall have the right to provide in its laws and the certificate issued hereunder for specified payments on account of the expense or general fund, which payments shall or shall not be mingled with the general fund of the society as its constitution and by-laws may provide.

**Sec. 6. Child's certificate may be continued after termination of membership of person responsible for its support.** In the event of the termination of membership in the society by the person responsible for the support of any child, on whose account a certificate may have been issued, as provided herein, the certificate may be continued for the benefit of the estate of the child, provided the contributions are continued, or for the benefit of any other person responsible for the support and maintenance of such child, who shall assume the payment of the required contributions.

## Chapter 10.

An Act to Amend Section One of Chapter Eighty-five of the Revised Statutes Relating to the Bonds of Sheriffs.

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

**R. S., c. 85, § 1, relating to election or appointment of sheriffs, and their bonds, amended.** Section one of chapter eighty-five of the revised statutes is hereby amended by inserting in the eighth line after the word "sureties" the words, 'or with the bond of a surety company authorized to do business in this state as surety', so that section one as amended shall read as follows:

**'Sec. 1. Sheriffs may be bonded by surety companies authorized to do business in the state.** Sheriffs shall be elected or appointed and shall hold

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their offices, according to the constitution, and their election shall be effected and determined as is provided respecting county commissioners, and they shall enter upon the discharge of official duty on the first day of January following. Every person elected or appointed sheriff for either of the counties of York, Cumberland, Kennebec or Penobscot, before receiving his commission, shall give bond to the treasurer of state, with at least three sufficient sureties or with the bond of a surety company authorized to do business in this state as surety, in the sum of forty thousand dollars; and for either of the other counties, in the sum of twenty-five thousand dollars, conditioned for the faithful performance of the duties of his office, and to answer for all neglect and misdoings of his deputies.'

Approved March 1, 1917.

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## Chapter 11.

An Act to Amend Sections Four and Five of Chapter Seventy-eight of the Revised Statutes, Relating to the Sale of Real Estate Subject to Contingent Remainders.

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

**Sec. 1, R. S., c. 78, § 4, relating to sale of real estate subject to contingent remainders, amended.** Section four of chapter seventy-eight is hereby amended by inserting after the word "estate", in the fifth line of said section, the words 'which petition shall set forth the nature of the petitioner's title to said real estate, the source from which the title was derived, the names and addresses of all persons known to be interested in said real estate, and such other facts as may be necessary for a full understanding of the matter,' so that said section, as so amended shall read as follows:

**'Sec. 4. Petition for sale must give all facts necessary for full understanding of matter.** When real estate is subject to a contingent remainder, executory devise, or power of appointment, the supreme judicial court, or the probate court, for the county in which such real estate is situated, may, upon the petition of any person who has an estate in possession in such real estate, which petition shall set forth the nature of the petitioner's title to said real estate, the source from which the title was derived, the names and addresses of all persons known to be interested in said real estate, and such other facts as may be necessary for a full understanding of the matter, and after notice and other proceedings as herein-after required, appoint one or more trustees, and authorize him or them to sell and convey such estate or any part thereof in fee simple, if such sale and conveyance appears to the court to be necessary or expedient; to mortgage the same, either with or without power of sale, for such an amount, on such terms, and for such purposes, as may seem to the court judicious or expedient; and such conveyance or mortgage shall be valid and binding upon all parties.'

**Sec. 2. R. S., c. 78, § 5, relating to notice of petition, amended.** Section five of said chapter is amended by adding, after the word "therein," in the fourth line of said section, the words 'provided that if persons in-