

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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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Eighth Legislature

1917

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as an agent of any foreign insurance company, which has received a license to do business in the state as provided in section one hundred and five or section one hundred and fifty, upon his filing such certificate. Such license shall continue until the first day of the next July. If any person solicits, receives or forwards any risk or application for insurance to any company, without first receiving such license, or fraudulently assumes to be an agent and thus procures risks and receives money for premiums, he shall be punished by a fine not exceeding two hundred dollars, or imprisonment not exceeding sixty days, for each offense; but any policy issued on such application binds the company if otherwise valid. Agents of duly authorized insurance companies may place risks with agents of other duly authorized companies when necessary for the adequate insurance of property, persons or interests. An insurance agent shall be personally liable on all contracts of insurance unlawfully made by or through him, directly or indirectly, for or in behalf of any company not authorized to do business in the state. Nothing herein contained shall require a duly licensed insurance agent or broker to obtain any license for an employee doing only clerical office work in the office of said agent or broker.'

Sec. 2, R. S., c. 53, § 122, relating to licensing insurance brokers, amended. Section one hundred twenty-two of chapter fifty-three of the revised statutes is hereby amended by striking out the word "fifty" in the tenth line and inserting in place thereof the words 'two hundred,' so that said section, as amended, shall read as follows:

'Sec. 122. Fine for assuming to act as insurance broker, without a license increased. The insurance commissioner may license any person as broker to negotiate contracts of insurance for others than himself for a compensation, by virtue of which license he may effect insurance with any domestic company or its agents; or any resident of the state to negotiate such contracts and effect insurance with the agents of any foreign company who have been licensed to do business in this state as provided in sections one hundred and five and one hundred and twenty-one, but with no others; said license shall remain in force one year unless revoked as hereinafter provided. Whoever, without such license, assumes to act as such broker, shall be punished by a fine not exceeding two hundred dollars, or by imprisonment not more than sixty days for each offense. The insurance commissioner, after reasonable notice, may revoke the license of any agent or broker for violation of the insurance laws; or the license of any agent upon receipt of written request therefor from the company filed in the office of said commissioner.'

Approved March 8, 1917.

Chapter 26.

An Act to Amend Section Thirty-five of Chapter Sixty-eight of the Revised Statutes, Relating to Powers of Special Administrators.

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

R. S., c. 68, § 35, relating to powers and duties of special administrators, amended. Section thirty-five of chapter sixty-eight of the revised statutes

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is hereby amended by inserting after the word "orders" in the sixth line of said section, the following words: 'and shall have such powers to vote stock owned by the deceased as the deceased would have if living, at all corporation meetings, and the authority to sell and transfer any specific rights which may have accrued to the estate of said deceased as such stockholder and the judge may authorize and direct that the business of the deceased, in whole or in part, shall for a limited time, to be determined by him, be carried on by such special administrator as a going business,' so that said section as amended shall read as follows:

'Sec. 35. Granted special powers in business of corporation, in which deceased owned stock. He shall collect all the goods, chattels and debts of the deceased, control and cause to be improved all his real estate, collect the rents and profits thereof, and preserve them for the executor or administrator thereafter appointed; and for that purpose may maintain suits, and sell such perishable and other goods as the judge orders; and shall have such powers to vote stock owned by the deceased as the deceased would have if living, at all corporation meetings, and the authority to sell and transfer any specific rights which may have accrued to the estate of said deceased as such stockholder and the judge may authorize and direct that the business of the deceased, in whole or in part, shall for a limited time, to be determined by him, be carried on by such special administrator as a going business; pay the expenses of the funeral and last sickness, and of his administration; debts preferred under the laws of the United States; public rates and taxes, and money due the state from the deceased; and pay to the widow, if any, and if not, to the guardian of the children under fourteen years of age, for their temporary support, such sums as the judge orders, having regard to the state and the amount of the property; and sums so paid to the widow or guardian shall be deducted, if the estate is solvent from the share of the widow or children, but if insolvent shall be considered by the judge in his allowance to them.'

Approved March 8, 1917.

Chapter 27.

An Act to Amend Section Eighty-eight of Chapter Fifty-three of the Revised Statutes, Relating to Reserves of Fire and Marine Insurance Companies.

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

R. S., c. 53, § 88, relating to reserve fund of fire and marine insurance companies, amended. That section eighty-eight of chapter fifty-three of the revised statutes be amended by striking out the words "a sum equal to the full amount of premiums on outstanding marine risks; together with one-half of all premiums on existing fire and inland risks" in the first, second and third lines and inserting in place thereof the words 'an amount equal to fifty per cent. of the premiums in force or the actual unearned portions of such premiums for fire risks; and for marine risks fifty per cent. of the amount of premiums written in its policies upon yearly risks and upon risks covering more than one passage not terminated, and the full