

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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CHAP. 28

amount of premiums written in policies upon all other marine risks not terminated' so that said section as amended shall read as follows:

'Sec. 88. **Reserve fund for marine risks reduced.** Whenever, after setting aside 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 amount of premiums written in policies upon all other marine risks not terminated; the net assets of any insurance company with a specific capital, do not amount to more than three-fourths of its capital stock, the company shall by assessing the stock, restore its capital to the legal amount. Shares on which such assessment is not paid within sixty days after demand upon the owner thereof, shall be forfeited, and ordered by a vote of the directors to be sold at public auction, and seven days' notice of the sale shall be given in some daily or weekly paper published in the place where such company is located; and the proceeds of sale, after deducting expenses and the assessments due on such shares, shall be paid to the owner or his representatives; provided, that whenever the capital stock of any insurance company is impaired as aforesaid, it may, by a majority vote of the stock, at a meeting of the stockholders legally called, reduce its capital by canceling its shares pro rata to the number thereof, or it may reduce the par value of its shares, or such company may thus reduce its capital stock and also assess as hereinbefore provided; but no such company shall reduce its capital stock, as aforesaid, more than twenty per cent. thereof, nor to a sum less than one hundred thousand dollars.'

Approved March 8, 1917.

Chapter 28.

An Act to Amend Section Fifty-five of Chapter Fifty-five of the Revised Statutes, Relating to Review by the Supreme Judicial Court of Certain Rulings of the Public Utilities Commission.

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

R. S., c. 55, § 55, relating to exceptions to ruling of public utilities commission amended. Section fifty-five of chapter fifty-five of the revised statutes is hereby amended by adding to the second sentence thereof the words, 'provided, however, that said commission may, and shall unless it certifies that the public interest does not require it, prepare and file with said arguments and exceptions a brief or argument in support of the ruling excepted to, and for that purpose may withhold said arguments and exceptions ten days after they have been delivered to the clerk as aforesaid; and provided, further, that in all complaints and investigations instituted or prosecuted by the commission on its own motion it, as well as any persons made parties of record in support of the side in whose favor said ruling is made, shall be deemed an opposing party for the aforesaid purposes,' so that said section, as amended, shall read as follows:

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'Sec. 55. Commission to file brief in support of its ruling excepted to. May withhold exceptions ten days. Questions of law may be raised by alleging exceptions to the ruling of the commission on an agreed statement of facts, or on facts found by the commission, and such exceptions shall be allowed by the chairman of the commission and certified by the clerk thereof to the chief justice of the supreme judicial court with the arguments of counsel, if any have been received by him, within sixty days after such exceptions have been allowed. The party raising such questions shall, within thirty days thereafter deliver a copy of his argument to the opposing counsel, who shall within twenty days after receiving the same furnish a copy of his answer to the counsel for the moving party, who shall in turn make reply thereto within ten days thereafter, and deliver said arguments to the clerk of the commission to be forwarded with the exceptions to the chief justice; provided, however, that said commission may, and shall unless it certifies that the public interest does not require it, prepare and file with said arguments and exceptions a brief or argument in support of the ruling excepted to, and for that purpose may withhold said arguments and exceptions ten days after they have been delivered to the clerk as aforesaid; and provided, further, that in all complaints and investigations instituted or prosecuted by the commission on its own motion it, as well as any persons made parties of record in support of the side in whose favor said ruling is made, shall be deemed an opposing party for the aforesaid purposes. And such questions of law shall be considered and decided by the law court as soon as may be; or if the parties so agree of record, such questions shall be certified to the next term of the law court to be entered on the docket thereof and argued and determined according to the rules of procedure in said court. The result in either case shall be certified by the clerk of the law court to the clerk of the commission, the prevailing party to recover costs.'

Approved March 8, 1917.

Chapter 29.

An Act to Amend Section Twenty-eight of Chapter Sixty-four of the Revised Statutes Relating to Registration of Vital Statistics.

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

R. S., c. 64, § 28, relating to record of births and deaths by town clerks, amended. That section twenty-eight of chapter sixty-four of the revised statutes be amended by adding after the word "burial" in the eighth line thereof the words 'or whenever the deceased person was born in any other town of this state,' and by inserting after the word "burial" in the eleventh line thereof the words 'or in which said deceased person was born as aforesaid' so that said section as amended shall read as follows:

'Sec. 28. Certified copy of record of death of person born in another town in this state to be transmitted to clerk of said town. The clerk of each town shall, on the first Monday of each month, make a certified copy of the record of all deaths and births recorded in the books of said town