

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-seventh and Eighty-eighth
Legislatures

OF THE

STATE OF MAINE

From April 7, 1935 to April 24, 1937

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State, in conjunction
with the Revisor of Statutes in accordance with the
Resolves of the Legislature approved June 28, 1820,
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-Eighth Legislature

1937

the transportation of poultry by common carriers or contract carriers under the authority of the public utilities commission or interstate carriers operating under authority of the interstate commerce commission.'

Sec. 2. P. L., 1935, c. 75, amended. Section 10-D of chapter 39 of the revised statutes enacted by chapter 75 of the public laws of 1935, is hereby repealed and the following sections enacted and added to said chapter 39 of the revised statutes as amended:

'Sec. 10-D. Record. No person, firm or corporation shall purchase any dressed poultry for re-sale without keeping a record, in duplicate on forms furnished by the department of agriculture, of the transaction, which record shall include the date, description, identifying marks of such poultry if any, and the name, and automobile registration number if any, of the seller, 1 copy of which said record shall be sent by mail the same day on which the purchase was made to the chief of the state police.'

'Sec. 10-E. Penalties. Whoever violates any of the provisions of section 10-A shall be punished by a fine of not less than \$50, nor more than \$100 for each offense. Whoever violates any of the provisions of section 10-B, 10-C or 10-D shall be punished by a fine of not less than \$50, nor more than \$100 for the 1st offense; and shall, for the 2nd and subsequent offenses, be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment for not less than 30 days nor more than 6 months, or by both such fine and imprisonment.'

Approved April 2, 1937.

Chapter 106

AN ACT Relating to Rights of Creditors and Beneficiaries under Insurance Policies.

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

R. S., c. 60, § 144, amended. Section 144 of chapter 60 of the revised statutes is hereby amended to read as follows:

'Sec. 144. Policies are exempt from claims of creditors; rights of beneficiaries and assignees. Certain policies of insurance shall be exempt from claims of creditors, and the rights of beneficiaries and assignees thereof shall be protected, as herein set forth:

If a policy of life, endowment or accident insurance, whether heretofore or hereafter issued, is effected by any person on his own life or on another life, in favor of a person other than himself, or, except in cases of transfer

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with intent to defraud creditors, if a policy of life, endowment or accident insurance is assigned or in any way made payable to any such person, the lawful beneficiary or assignee thereof, other than the insured or the person so effecting such insurance, or his executors or administrators, shall be entitled to its proceeds and avails against the creditors and representatives of the insured and of the person effecting the same, whether or not the right to change the beneficiary is reserved or permitted, and whether or not the policy is made payable to the person whose life is insured if the beneficiary or assignee shall predecease such person; provided, that, subject to the statute of limitations, the amount of any premiums for said insurance paid with intent to defraud creditors, with interest thereon, shall enure to their benefit from the proceeds of the policy; but the company issuing the policy shall be discharged of all liability thereon by payment of its proceeds in accordance with its terms, unless before such payment the company shall have written notice, by or in behalf of a creditor, of a claim to recover for transfer made or premiums paid with intent to defraud creditors, with specifications of the amount claimed.

If an annuity contract, whether heretofore or hereafter issued, is effected by any person, based upon his own life, or on another life, payable to a person other than himself, the lawful beneficiary or assignee thereof, other than the person so effecting such contract, or his executors or administrators, shall be entitled to its proceeds and avails against the creditors and representatives of the person effecting such contract, to the same extent and under the same conditions hereinbefore provided with reference to the proceeds and avails of policies of life and accident insurance.'

Approved April 2, 1937.

Chapter 107

AN ACT Relating to Domestic Mutual Insurance Companies.

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

R. S., c. 60, § 56, amended. The 3rd sentence of section 56 of chapter 60 of the revised statutes is hereby amended to read as follows:

'Mutual companies may be incorporated to transact fire, marine, and glass insurance and may operate in accordance with the provisions of section 36, and other provisions of the laws of this state relating to such companies, provided, ~~that they shall confine their business to not more than ten towns;~~ their net retention of liability on every risk shall not exceed \$200 until their gross assets exceed \$2000, after which their net retention