

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES
AS PASSED BY THE
Eighty-ninth and Ninetieth
Legislatures

OF THE
STATE OF MAINE

From April 21, 1939 to April 26, 1941
AND MISCELLANEOUS STATE PAPERS

Published by the Revisor of Statutes in accordance
with the Resolves of the Legislature approved June
28, 1820, March 18, 1840, March 16, 1842, and Acts
approved August 6, 1930 and April 2, 1931.

KENNEBEC JOURNAL
AUGUSTA, MAINE
1941

PROPERTY OF THE
STATE OF MAINE
NOT TO BE SOLD

PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Ninetieth Legislature

1941

Chapter 247

AN ACT Relating to Surety Bonds.

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

Sec. 1. R. S., c. 60, § 154, amended. Section 154 of chapter 60 of the revised statutes is hereby amended to read as follows:

'Sec. 154. Copy of charter and statement of condition to be deposited with commissioner, before license is issued. Every such company, before transacting any business as aforesaid, shall deposit with the insurance commissioner a copy of its charter, and also a statement, signed and sworn to by the president and secretary of the company, stating the amount of its capital and the manner of its investments, designating the amount invested in mortgages, in public securities, in the stock of incorporated companies, stating what companies, and also the amount invested in other securities, particularizing each item of investment, the amount of existing policies issued by said company, or of existing bonds upon which such company is surety, stating what portion thereof is secured by the deposit with such company of collateral security, the amount of premium thereon, and the amount of liabilities, specifying therein the amount of outstanding claims adjusted or unadjusted, due or not due, and stating the names and addresses of all its attorneys-in-fact within the state of Maine together with the scope of authority of each such attorney-in-fact; and thereupon said commissioner may grant a license, authorizing said company to transact surety business or the business of credit insurance or title insurance in this state subject to its laws, until the 1st day of July next following, and such license may be renewed annually thereafter.'

Sec. 2. R. S., c. 60, § 162, amended. Section 162 of chapter 60 of the revised statutes is hereby amended to read as follows:

'Sec. 162. Insurance commissioner to notify registers of probate of authorization of surety companies. Whenever any foreign or domestic surety company complies with all the requirements of law regulating the admission of such companies to transact business in this state and is authorized to transact business therein, the insurance commissioner shall forthwith transmit to each register of probate the name of such company and the names of all agents of such company who have been licensed by him, their places of residence and the dates when their licenses will expire, and the names and addresses of all attorneys-in-fact registered with him whose address is in the county of such register; and he shall on the 1st days of February and August of each year forward to each register of probate a list containing the names of all surety companies, foreign and

domestic, which are then licensed or qualified to transact business in the state, the names of all agents of said companies, who have been licensed by him, and their places of residence, and the dates when their respective licenses will expire; he shall from time to time communicate to the registers of probate the names of all surety companies which cease to qualify to transact business in this state. The registers shall preserve such lists on the files of the courts.'

Sec. 3. R. S., c. 60, § 163, amended. Section 163 of chapter 60 of the revised statutes is hereby amended to read as follows:

'Sec. 163. Company estopped to deny corporate power. Any company which shall execute any bond as surety under the provisions of section 160 shall be estopped in any proceedings to enforce the liability which it shall have assumed to incur, to deny its corporate power, or the authority of ~~any licensed agent~~ its attorney-in-fact within the scope of his power of attorney filed in accordance with section 154, to execute such instrument or assume such liability, or the authority of any licensed agent to countersign such instrument.'

Approved April 16, 1941

Chapter 248

AN ACT Pertaining to the Regulation of Smelt Fishing.

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

P. L., 1933, c. 2, § 32, amended. Section 32 of chapter 2 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 32. Regulation of smelt fishing; penalty. No smelts shall be taken or fished for in any of the tidal waters of the state not covered otherwise provided for by private or special laws between the 1st day of April and the 1st day of October of each year except by hook and line and it shall be lawful to take smelts in the York river and Smelt brook and their tributaries in the towns of York and Eliot with hook and line only. Anyone violating any provision of this section shall be punished by a fine of \$100 for each offense. Nothing in this section shall apply to smelts taken in fish weirs or traps maintained and operated for the catching of sardines or herring.'

Approved April 16, 1941