

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-fifth Legislature

OF THE

# STATE OF MAINE

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

As Passed by the Ninety-fifth Legislature

**1951**

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person or his clerk, agent or servant who sells liquor within the state without a license shall be punished for the 1st offense by a fine of not less than \$300 and costs, nor more than \$500 and costs, which fine and costs shall not be suspended, and an additional penalty of not more than 30 days in jail at the discretion of the court; and for a 2nd offense by a fine of not less than \$500 and costs, nor more than \$1,000 and costs, which fine and costs shall not be suspended, and an additional penalty of not more than 60 days in jail at the discretion of the court; and for all subsequent offenses a fine of not less than \$1,000 and costs and 60 days in jail, which fine and costs and jail sentence shall not be suspended, and an additional penalty of 4 months in jail at the discretion of the court. Any clerk, servant, agent or other person in the employment or on the premises of another, who violates or in any manner aids or assists in violating any provision of law relating to intoxicating liquors, is equally guilty with the principal and shall suffer like penalties.'

Effective August 20, 1951

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## Chapter 138

### AN ACT Providing for Merger and Dissolution of Domestic Mutual Insurance Companies.

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

Sec. 1. R. S., c. 56, § 25-B, additional. Chapter 56 of the revised statutes is hereby amended by adding thereto a new section to be numbered 25-B, to read as follows:

'Sec. 25-B. Merger of domestic mutual insurance companies.

I. Any 2 or more mutual insurance companies organized or to be organized under the provisions of this chapter or existing under the laws of this state, may consolidate into a single company which may be any one of said companies, or a new company organized under the laws of this state to be formed by means of such consolidation, by entering into an agreement duly authorized by a majority of the directors of the respective companies and signed by the duly authorized officers, and under the respective seals of said companies, prescribing the terms and conditions of the consolidation, the mode of carrying the same into effect, whether or not the consolidated company shall be one of the constituent companies or a new company created by such consolidation, and stating in such altered form as the circumstances of the case may require such other facts as are necessary to be set out in the certificate of organization of insurance companies organized under this chapter and as are pertinent in the case of a consolidation, together with such other provisions and

details as shall be deemed necessary to perfect the consolidation. Said agreement shall be acknowledged by one of the executing officers of each of the consolidating companies before an officer authorized by the laws of this state to take acknowledgments of deeds, to be the respective act, deed and agreement of each of said companies.

II. Subject to provisions of by-laws with reference to membership in the companies, said consolidation agreement shall be submitted to the members of record of each company at a meeting thereof called separately for the purpose of taking the same into consideration, and at said meeting a vote in person or by proxy shall be taken for the adoption or rejection of said agreement, and if the votes of members of each company representing a majority of the voting power present at said meeting, on a proposal to consolidate said company with another, shall be for the adoption of said agreement, then that fact shall be certified on said agreement by the clerk or secretary of each company and the agreement so signed, acknowledged, adopted and certified, after it has been examined by the insurance commissioner and the attorney-general and been by them certified to be properly drawn and signed and to be conformable to the constitution and laws of this state, and within 60 days after the day of the meeting at which said consolidation agreement is adopted by the members, a copy thereof shall be filed in the office of the secretary of state, who shall enter the date of filing thereon, and on the original agreement, certified as aforesaid, to be kept by the consolidated company, and shall record said copy. From the time of filing the copy of such agreement in the office of the secretary of state, said agreement shall be taken and deemed to be the agreement and act of consolidation of the said companies and said original consolidation agreement or a certified copy thereof shall be evidence of the existence of such consolidated company and of the observance and performance of all acts and conditions necessary to have been observed and performed precedent to such consolidation.

III. Notice of such special meeting of members shall be made by publishing once weekly on 3 successive weeks in a newspaper printed in each county of this state in which the company is chartered to operate, the last publication to be at least 7 days prior to such meeting.'

Sec. 2. R. S., c. 56, § 25-D, additional. Chapter 56 of the revised statutes is hereby amended by adding thereto a new section, to be numbered 25-D, to read as follows:

'Sec. 25-D. Dissolution of domestic mutual insurance companies. Whenever at any meeting of the policyholders of a domestic mutual insurance company, except life, called for the purpose by notice published once

weekly on 3 successive weeks in a newspaper printed in each county of the state in which the company is chartered to operate, the last publication being at least 7 days prior to such meeting, the majority of the policyholders and shareholders present and voting, vote to dissolve such company, a bill in equity against the same for dissolution thereof may be filed by any officer, shareholder, member or creditor in the supreme judicial court or the superior court in the county in which it has its principal place of business. Upon said bill, notice shall be given by the clerk of courts to the attorney-general and the insurance commissioner and such notice shall be given to others as may be ordered by any justice of either of said courts, in term time or in vacation, and upon proof thereof, such proceedings may be had according to the usual course of suits in equity that said corporation be dissolved and terminated. Upon proof that there are no existing liabilities against said corporation and no existing assets thereof requiring distribution among the shareholders, said court may dissolve said company without the appointment of trustees or receivers. Assets remaining after payment of the costs of dissolution, claims against the company and repayment of the guaranty capital shall be paid to the treasurer of state for the use of the state.'

Effective August 20, 1951

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## Chapter 139

### AN ACT Relating to Special Dog Training and Field Trial Areas.

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

Sec. 1. R. S., c. 33, § 98, amended. Section 98 of chapter 33 of the revised statutes, as revised, is hereby amended to read as follows:

'Sec. 98. Training of dogs. Except as provided in section 98-A, it ~~is~~ shall be lawful to train dogs on foxes, raccoons and rabbits from September 1st to the following October 15th, inclusive, in each calendar year, providing the dogs are under the personal supervision of the owner or trainer at all times.'

Sec. 2. R. S., c. 33, § 98-A, additional. Chapter 33 of the revised statutes, as revised, is hereby amended by adding thereto a new section to be numbered 98-A, to read as follows:

'Sec. 98-A. Special dog training areas. Upon application of any club or organization having 25 or more members who are citizens who have been residents of the state for at least 6 months immediately prior to making