

Chap. 64 AN ACT REQUIRING ANNUAL RETURNS OF INACTIVE CASES TO BE MADE TO THE STATE SECRETARY BY CERTAIN CLERKS OF COURTS.

Be it enacted, etc., as follows:

G. L. 221, § 24,
etc., amended.

Certain clerks
of courts to
make annual
returns of cases
to state
secretary.

Chapter two hundred and twenty-one of the General Laws, as amended in section twenty-four by chapter one hundred and thirty-one of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said section twenty-four and inserting in place thereof the following: — *Section 24.* The clerks of the courts for the several counties and the clerks of the superior court for civil and for criminal business in Suffolk county shall annually in July make returns for the last preceding year ending June thirtieth to the state secretary upon suitable blank forms provided by him, setting forth, as to civil cases, the number of jury cases, of jury waived cases, of equity cases and of divorce cases, pending at the beginning of each year in the superior court for their respective counties, the number of each of said four classes of cases entered during the year, the number of cases of each class actually tried during the year, the number of cases of each class disposed of during the year by agreement of the parties or by order of the court, the number of cases of each class marked inactive during the year under rule of court, the number of cases of each class so marked inactive at any time and remaining untried or undisposed of at the end of the year, the number of cases of each class pending at the end of the year, the number of cases wherein the verdict of the jury has been set aside by the court on the ground that it was excessive and the number of days during which the court has sat in their respective counties for the hearing of each of said four classes of cases; and, as to criminal cases, the number of such cases pending at the beginning of each year in the superior court for their respective counties, the number of indictments returned during the year, the number of appealed criminal cases entered during the year, the number of such cases actually tried during the year, the number of cases disposed of without trial during the year, the number of such cases pending at the end of the year, the number of such cases wherein a new trial has been ordered and the number of days during which the court has sat in their respective counties for the hearing of such cases.

Approved February 21, 1927.

Chap. 65 AN ACT RELATIVE TO THE COMPUTATION OF INTEREST ON LOANS AND CERTAIN OVERDUE PREMIUMS ON LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

G. L. 175,
§ 132, prov. 7,
etc., amended.

SECTION 1. Section one hundred and thirty-two of chapter one hundred and seventy-five of the General Laws,

as amended by chapter seventy-five of the acts of nineteen hundred and twenty-two, by chapter one hundred and ninety-five of the acts of nineteen hundred and twenty-three, by sections one and two of chapter seventy-five of the acts of nineteen hundred and twenty-four and by section two of chapter one hundred and ninety-seven of the acts of nineteen hundred and twenty-five, is hereby further amended by inserting before the word "not" in the seventh line of provision 7 the words: — a rate, — and also by striking out, in the ninth line of said provision, the word "annually" and inserting in place thereof the word: — semi-annually, — so that provision 7 will read as follows: — 7. A provision that not later than the third anniversary of the policy the holder of the policy shall, upon a proper assignment thereof to the company, be entitled to borrow of the company, on the sole security of the policy, a sum not more than ninety-five per cent of the cash surrender value thereof, less any indebtedness to the company, with interest at a rate not exceeding six per cent per annum or, at the option of the company, with interest as aforesaid compounded semi-annually. Said provision shall include such other conditions as, in conformity to the laws of the commonwealth, the company will impose when the application for the loan is made.

Loans on life insurance policies, interest, etc.

SECTION 2. Said section one hundred and thirty-two of said chapter one hundred and seventy-five, as amended as aforesaid, is hereby further amended by striking out, in the tenth line of provision 11, the word "annually" and inserting in place thereof the word: — semi-annually, — so that provision 11 will read as follows: — 11. A provision that the holder of a policy shall be entitled to have the policy reinstated at any time within three years from the date of default, unless the cash surrender value has been duly paid or the extension period has expired, upon the production of evidence of insurability satisfactory to the company and the payment of all overdue premiums and any other indebtedness to the company upon said policy, with interest at the rate of not exceeding six per cent per annum or, at the option of the company, with interest as aforesaid compounded semi-annually.

G. L. 175, § 132, prov. 11, etc., amended.

Reinstatement of life insurance policies.

Payment of overdue premiums, interest, etc.

SECTION 3. Section one hundred and forty-two of said chapter one hundred and seventy-five, as amended by section three of said chapter seventy-five of the acts of nineteen hundred and twenty-four, is hereby further amended by inserting after the word "at" in the seventh line the words: — a rate, — and also by striking out, in the ninth line, the word "annually" and inserting in place thereof the word: — semi-annually, — so as to read as follows: — Section 142. After three full annual premiums have been paid on any policy of life or endowment insurance issued by a domestic life company after December thirty-first, nineteen hundred and seven, the holder thereof, upon its proper assignment to the company, shall within ninety days

G. L. 175, § 142, etc., amended.

Loans on policies of life or endowment insurance, interest, etc.

of the application therefor be entitled to a loan from the company, on the sole security of the policy, with interest at a rate not exceeding six per cent per annum or, at the option of the company, with interest as aforesaid compounded semi-annually, of a sum not exceeding its loan value, which loan value shall be not less than ninety-five per cent of the cash surrender value of the policy at the end of the policy year during which the application for the loan is made, computed as prescribed by section one hundred and forty-four, and of all dividend additions thereto, less any indebtedness to the company and any unpaid portion of the premium for the then current policy year. Failure to repay any such loan or to pay interest thereon shall not avoid the policy while the total indebtedness thereon is less than such loan value at the time said default in payment occurs, nor until thirty days after notice has been mailed by the company to the last known address of the insured. The affidavit of any officer, clerk or agent of the company, or of any one authorized to mail such notice, that the notice required by this section has been duly mailed by the company, shall be prima facie evidence that such notice was duly given. Nothing in this section shall require any company to make a loan upon any policy for less than twenty-five dollars.

Policy avoided,
when.

Not applicable
to certain
policies.

This section shall not apply to term policies nor to those in force as extended insurance as provided in clause (c) of section one hundred and forty-four.

Approved February 23, 1927.

Chap. 66 AN ACT PROVIDING FOR ENTRY ON PRIVATE LAND BY ELECTRIC COMPANIES FOR THE PURPOSE OF MAKING SURVEYS PRELIMINARY TO EMINENT DOMAIN PROCEEDINGS.

Be it enacted, etc., as follows:

G. L. 164, new
section after
§ 72.

Electric com-
panies may
enter private
lands to make
surveys, etc.

Liability for
damages.

Chapter one hundred and sixty-four of the General Laws is hereby amended by inserting after section seventy-two the following new section:— *Section 72A.* The department may upon petition authorize an electric company to enter upon lands of any person or corporation for the purpose of making a survey preliminary to eminent domain proceedings. The company so entering upon any such lands shall be subject to liability for any damages occasioned thereby, to be recovered under chapter seventy-nine.

Approved February 23, 1927.

Chap. 67 AN ACT RELATIVE TO CERTAIN PROSECUTIONS BY THE DEPARTMENT OF AGRICULTURE.

Be it enacted, etc., as follows:

G. L. 128,
§ 30, etc.,
amended.

Chapter one hundred and twenty-eight of the General Laws, as amended in section thirty by section one of chapter one hundred and forty-seven of the acts of nineteen hundred and twenty-three, is hereby further amended by striking out