

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1879.

Published by the Secretary of State, agreeably to Resolves of June 28,
1820, February 18, 1840, and March 16, 1842.

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1879.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1879.

CHAP. 145.

Chapter 145.

An act to amend section nineteen, chapter forty-nine, of the Revised Statutes, relating to insurance.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 19, ch. 49, R. S., amended.

Section nineteen, chapter forty-nine of the revised statutes, is hereby amended by inserting, after the word "risk," in the ninth line, 'but any subsequent insurance, procured without giving notice to existing underwriters, shall be taken and held to be a material increase of the risk,' so that said section as amended shall read as follows :

Insurance. Statements of description not deemed warranties. Erroneous statements of value or title by insured not to prevent his recovering. Exception. Change in property, or breach of the terms of policy not to affect it unless risk thereby increased. Subsequent insurance without notice or permission deemed a material increase of risk. Misrepresentation of title or interest of insured unless fraudulent shall not prevent recovery.

SECT. 19. All statements of description or value in an application or policy of insurance shall be deemed representations and not warranties; erroneous descriptions or statements of value, or title by the insured, shall not prevent his recovering on his policy unless the jury find that the difference between the property as described and as it really existed, contributed to the loss, or materially increased the risk; a change in the property insured its use or occupation, or a breach of any of the terms of the policy by the insured, shall not affect the policy unless they materially increase the risk; but any subsequent insurance, procured without giving notice to existing underwriters, when permission is not given therefor, but such notice is required in the policy, shall be taken and held, to be a material increase of the risk, nor shall any misrepresentation of the title or interest of the insured in the whole or a part of the property insured, real or personal, unless material or fraudulent, prevent his recovering on his policy to the extent of his insurable interest.

Approved March 3, 1879.

Chapter 146.

An Act in relation to Free High Schools.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Towns may maintain free high schools.

SECT. 1. Any town may establish and maintain not exceeding two free high schools, and may raise money for their support.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1879.