

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)

EIGHTY-FIRST LEGISLATURE

HOUSE

NO. 111

House of Representatives, Feb. 15, 1923.

Referred to Committee on Mercantile Affairs and Insurance and five hundred copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Wing, Jr., of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT to Amend Section Eight of Chapter Fifty-three of
the Revised Statutes, Relating to Insurance.

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

Section eight of chapter fifty-three of the revised statutes
2 is hereby amended by striking out the words "this state"
3 in the sixth line thereof and inserting in lieu thereof the
4 words 'the county where the loss occurs,' and said section
5 is further amended by adding thereto the words 'the third
6 referee selected by the two referees chosen by the parties
7 shall be a resident of this state,' so that said section as
8 amended shall read as follows:

‘Sect. 8. Proceedings in case parties fail to agree as to
2 amount of loss. R. S. c. 49, 5. In case of loss under any
3 fire insurance policy, issued on property in this state, in the
4 standard form set forth in section five, and the failure of
5 the parties to agree as to the amount of loss, if the insurance
6 company shall not, within ten days after a written request
7 to appoint referees under the provision for arbitration in
8 such policy, name three men under such provision, each of
9 whom shall be a resident of the county where the loss
10 occurs, and willing to act as one of such referees; or if
11 such insurance company shall not, within ten days after
12 receiving the names of three men named by the insured
13 under such provision, make known to the insured its choice
14 of one of them to act as one of such referees, it shall be
15 deemed to have waived the right to an arbitration under
16 such policy, and be liable to suit thereunder, as though the
17 same contained no provision for arbitration as to the amount
18 of loss or damage. And in case of the failure of two
19 referees, chosen, respectively by the insurance company and
20 the insured, to agree upon and select within ten days from
21 their appointment a third referee willing to act in said
22 capacity, either of the parties may within twenty days from
23 the expiration of said ten days make written application
24 setting forth the facts to the insurance commissioner to
25 appoint such third referee, and said commissioner shall
26 thereupon make such appointment and shall send written
27 notification thereof to the parties. The third referee select-

28 ed by the two referees chosen by the parties shall be a
29 resident of this state.”