

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

A C T S

OF THE

STATE OF MAINE,

PASSED BY THE

NINTH LEGISLATURE,

AT ITS

SESSION, COMMENCING JANUARY 7th, 1829.

Published agreeably to the Resolve of the 28th June, 1829.

Portland:

DAY & FRASER.....PRINTERS TO THE STATE.

1829.

CHAP. 26.

An additional ACT concerning the Municipal Court for the town of Portland.

Approved February 13, 1829.

BE it enacted by the Senate and House of Representatives, in Legislature assembled, That in all cases, whenever the Judge of the Municipal Court for the town of Portland shall be absent from the room or office in which said Court is usually holden, the Recorder shall have power, and it shall be his duty to grant and issue warrants, for the apprehension of persons charged with the commission of any breach of the peace or criminal offence ; and such warrants so granted and issued, shall have the same force and authority as if granted by said Judge, and all officers to whom the same may be legally directed, shall be bound in like manner to serve and execute the same.

Recorder authorized to issue warrants in the absence of the Judge.

**CHAP. 27.**

AN ACT to incorporate the Gardiner Mutual Fire Insurance Company.

Approved February 18, 1829.

SECT. 1. Be it enacted by the Senate and House of Representatives, in Legislature assembled, That Robert H. Gardiner, Frederick Allen, James Marston, Michael Burns, William B. Grant, Parker Sheldon, Sanford Kingsbury, George Evans, their associates and successors, be, and they hereby are created a body corporate by the name of the Gardiner Mutual Fire Insurance Company, with power to exercise and enjoy all the powers and privileges incident to such corporations.

Persons incorporated.

SECT. 2. *Be it further enacted,* That said corporation may choose such officers and establish such by-laws as they may deem necessary, not inconsistent with the constitution and laws of this State; and in all matters decided in any general meeting of said corporation, each member shall have a right to as many votes as he has policies, and may vote by proxy.

Choice of officers & making by-laws.

Right of voting.

SECT. 3. *Be it further enacted,* That when the sum subscribed by the associates to be insured, shall amount to one hundred thousand dollars, said corporation shall then be authorized to insure for the term of one to seven years, any dwelling house, or other building, and household furniture in this State, to any amount not exceeding three quarters of the value of the property insured.

Authorized to insure when the amount subscribed by associates shall amount to \$100,000.

SECT. 4. *Be it further enacted,* That said corporation may raise funds not exceeding four thousand dollars, which shall be vested in stocks, or loaned on such securities as the Directors may order; and the funds shall be appropriated, first to pay the expenses of the corporation, and next to pay the damage any member may be entitled to recover on his policy. In case any member shall have a just claim against the corporation, exceeding the amount of their then existing funds, the Directors shall without delay, assess such sums, as shall be necessary, on the members; which assessment shall be in proportion to the amount of each member's premium and deposit for seven years.

May raise funds not exceeding \$4,000, to pay expenses, &c.

Claims against the Corporation, how paid.

SECT. 5. *Be it further enacted,* That whenever any member shall recover judgment against said corporation, he may levy his execution on any of said funds; but if he cannot find sufficient funds, he may levy the same on the private property of any one of the Directors: *Provided,* They refuse or neglect for the space of sixty days to satisfy the execution, after a demand made on them for that purpose; and any Director who may

Judgment against the Corporation, how satisfied.

thus have his property taken, may sustain an action on the case, to recover indemnity therefor of the corporation.

A lien created on the property insured.

SECT. 6. *Be it further enacted,* That whenever said corporation shall make insurance on any building, such building, the land under the same, and appurtenant thereto, shall be holden as security for such deposite money and assessments, as the person thus insured shall be liable to pay ; and the policy of insurance shall, from the time it issues, create a lien on the said buildings and land therefor, which lien shall continue, notwithstanding any transfer of the property : *Provided,* It shall be expressed in the policy, that insurance is made, subject to the lien created by law ; and a certificate of the same, by the Secretary, shall be filed in the Registry of Deeds of the county, wherein the estate insured is situated ; and the Register, for filing said certificate and keeping a suitable index thereof shall be entitled to receive six cents.

In case of resort to said lien, what proceedings to be had.

SECT. 7. *Be it further enacted,* That in case it should become necessary to resort to such lien as is before provided, it shall be the duty of the Treasurer, before he attempts to compel payment by selling the insured premises, first to demand payment of the insured, and, in case of his decease, of his legal representative, and likewise of the tenant of the insured estate. In case payment is refused, said corporation may then sustain an action on the case against the insured, or his legal representative, for any sum due, either on a deposite note, or by assessment ; and the execution which may issue thereon may be levied on the insured premises ; and the officer making the levy may sell the whole or part thereof, at public auction, giving the same notice, and proceeding in the same manner as is required in the sale of equities of redemption on execution. The owner or owners shall likewise have a right to redeem the estate thus sold, within one year,

provided, he or they shall first pay the costs of sale, the amount of the execution, and twelve per cent. interest thereon.

SECT. 8. *Be it further enacted,* That each of the insured shall, at the expiration of his policy or policies, have a right to demand and receive from the corporation, his share of the remaining funds, in proportion to the sum or sums by him insured.

At the expiration of his policy, the insured is to have his share of the remaining funds.

SECT. 9. *Be it further enacted,* That any three members herein named, may call the first meeting of said corporation, by publishing notice thereof in the newspaper printed in the town of Gardiner.

First meeting how called.

SECT. 10. *Be it further enacted,* That the office where said corporation transact their business shall be kept in the town of Gardiner.

Office to be kept in town of Gardiner.

SECT. 11. *Be it further enacted,* That the powers granted by this act, may be enlarged, restrained or annulled at the pleasure of the Legislature.

Powers may be restricted, &c.



CHAP. 28.

AN ACT to incorporate the Brunswick Falls Cotton Factory.

Approved February 18, 1829.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That John O'Brien, Noah Hinkley, Isaac Lincoln, Thomas C. Upham, and Abner B. Thompson, their associates and successors, be, and they hereby are incorporated and made a body politic by the name of the Brunswick Falls Cotton Factory, for the purpose of carrying on the manufacture of cotton goods in the town of Brunswick, in the county of Cumberland; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements,

Persons incorporated.