

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)

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. 35.

AN ACT to incorporate the Kennebec Mutual Fire Insurance Company.

Approved February 20, 1829.

Persons incorporat-
ed.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That James Bridge, Daniel Rose, Reuel Williams, Henry W. Fuller, Joseph Chandler, John Eveleth, and Robert C. Vose, and their associates and successors shall be a corporation, by the name of the Kennebec Mutual Fire Insurance Company, and keep their office in Augusta, in the county of Kennebec, and enjoy all the privileges and powers incident to such corporations.

Qualification of vo-
ters.

No policy to be
made until \$100,
000 is subscribed to
be insured.

SECT. 2. *Be it further enacted,* That at all meetings of said corporation every question shall be decided by a majority of votes, each member having as many votes as he has policies, to be given in person or by proxy; and said corporation may choose such officers and for such length of time as may be determined to be proper; but no policy of insurance shall be made until the sum subscribed to be insured shall amount to one hundred thousand dollars.

May insure houses,
&c. from one to ten
years.

When losses ex-
ceed the existing
funds, balance how
raised.

SECT. 3. *Be it further enacted,* That said corporation may insure for any term, from one to ten years, any house or other building, household furniture and goods in any building, within this State, against damage by fire originating in any cause other than design in the insured, and to any amount, not exceeding three fourths of the value of the property insured. And in case any person or persons shall sustain damage, by fire, of property insured over and above the then existing funds of the corporation, said corporation, or such of its officers as may be designated for the purpose, shall assess such further sum or sums, as may be necessary to pay such loss, on the members of said corporation, in proportion to the sum by each respectively insured.

SECT. 4. *Be it further enacted,* That said corporation may raise and keep a reserved fund not exceeding ten thousand dollars, to be invested in the stock of incorporated banks, stock of the United States, or of this State, or in bonds or notes secured by mortgage, to be appropriated to pay the expenses of the corporation, and any losses that may from time to time happen. And each of the insured shall have the right, at the expiration of his policy or policies to demand and recover of the corporation, his share of the funds of the corporation, in proportion to the sum by him insured, as the corporation, by its by-laws existing at the time of making his policy, shall prescribe.

May keep a reserved fund.

SECT. 5. *Be it further enacted,* That whenever any person shall sustain any loss by fire of the property insured by said corporation, he shall within sixty days next after such loss, and before any repairs or alterations are made, give notice of the same, in writing to some officer of the corporation, or other person appointed thereby for the purpose, whose duty it shall be immediately to view where the fire happened, enquire into the circumstances attending it, and determine, in writing under his hand, the amount, (if any) of the liability of said corporation for such loss. And if the sufferer shall not acquiesce in such determination, he may within sixty days next after such determination is made known to him, bring an action at law, against said corporation, in the county where the loss happened; and in case the plaintiff in such action shall not recover as damages, more than the amount determined as aforesaid, no costs shall be allowed the plaintiff, but the corporation shall recover its costs, and execution shall issue for the balance, in favor of the party entitled to recover it.

Manner in which losses shall be ascertained.

SECT. 6. *Be it further enacted,* That said corporation may hold real and personal estate to any amount necessary for the purposes aforesaid, not exceeding fifty thousand dollars; and shall

May hold real and personal estate and make by-laws.

have power to make such by-laws, rules and regulations as may be thought proper, not repugnant to the laws of this State.

Buildings insured, and land under the same holden as security for deposit money and assessments.

SECT. 7. *Be it further enacted,* That whenever said corporation shall make insurance on any building, such building and the land under the same and appurtenant thereto, shall be holden as security for such deposit money and assessments, as the person causing such insurance, shall be liable to pay; and the policy of insurance shall from the time it is made, create a lien on said building 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 copy of the policy be filed by the Secretary of the corporation with the Register of Deeds in the county wherein the estate is situate; and the Register, for filing such copies and keeping a correct index of them, shall be entitled to receive of said corporation ten cents for each policy.

Proviso as to the form of the policy and entry with the Register of Deeds.

Proceedings to compel payment of deposit money or assessments in case of neglect, &c.

SECT. 8. *Be it further enacted,* That if any member of said corporation, obtaining insurance, subject to the lien aforesaid, or in case of his decease, his legal representatives, shall neglect for thirty days after demand made in writing, to pay the deposit money or any assessment duly made, he or they shall be liable to the corporation therefor, to be recovered in an action of the case, in any court of competent jurisdiction; and said corporation having obtained judgment and execution therefor, may cause such execution to be satisfied by sale and conveyance of the interest of the insured in the building insured, and the land under the same and appurtenant thereto. *Provided,* The officer having such execution shall advertise the same in like manner as is provided by law for the sale of equities of redemption of real estate mortgaged; and saving to the owners thereof the right of redeeming the same, at any time within

one year, by paying the purchaser or his assignee the sum for which it was sold, with twelve per cent. interest thereon; deducting the rents and profits over and above the repairs and taxes.

SECT. 9. *Be it further enacted,* That any three of the persons named in the first section, may call the first meeting of said corporation, by publishing notice thereof in the newspapers printed in said Augusta.

First meeting how called.

SECT. 10. *Be it further enacted,* That the powers granted by this Act may be enlarged, restrained or annulled at the pleasure of the Legislature.

Powers herein granted subject to the pleasure of the Legislature.



CHAP. 36.

AN ACT to authorize towns in the County of Kennebec to associate together to build an Alms-house for the support of their Poor.

Approved February 20, 1829.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the towns of Hallowell, China and Windsor, in the county of Kennebec, or any two of them, together with such other towns in said county as may, within two years from the passing of this Act, in legal town meeting, vote to unite with them, be, and hereby are authorized to associate together, for the purpose of purchasing a farm and erecting an Alms-house for the support and employment of their poor.

Towns associated.

SECT. 2. *Be it further enacted,* That the towns which shall associate as aforesaid, are hereby authorized to purchase and take by deed, and hold so much land and build such an Alms-house and other buildings, as may be necessary to carry into effect the object of their association; and the expense of such farm and Alms-house and other buildings, and of the support and maintenance of

Authorized to purchase real estate.