

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.

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1829.

under and by virtue of this Act, to be recorded in a book by them kept for that purpose; and to this end may employ any one of their own number, or the Town Clerk for the time being, or any other person as their clerk, who shall be sworn to the faithful execution of his duty, as other town officers are sworn. And such book shall be, at all reasonable times, open to the inspection of any of the inhabitants of said town.

Selectmen to keep a record of their proceedings.

SECT. 6. *Be it further enacted,* That this Act shall take effect and be in force from and after its acceptance by said town, at a legal meeting of its inhabitants, by vote under an article inserted in the warrant calling such meeting for that purpose: *Provided,* The same shall be accepted within one year from the passage hereof.

This Act not to take effect unless accepted by the town within one year.

CHAP. 56.

AN ACT incorporating the Bath Mutual Fire Insurance Company.

Approved February 28, 1829.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Jonathan Hyde, James McLellan, David Stinson, Samuel G. Bowman, Samuel Davis, William Richardson, Levi Houghton, their associates and successors be, and hereby are constituted a body politic and corporate, by the name of the Bath Mutual Fire Insurance Company, who shall keep their office at Bath, and enjoy all the privileges and powers incident to such corporations.

Persons incorporated.

Office to be kept at Bath.

SECT. 2. *Be it further enacted,* That at all meetings of said corporation, every matter shall be decided by a majority of votes, each member having as many votes as he has policies, with the right

Right of voting.

Choice of officers. of voting by proxy ; and such corporation may choose such officers and for such length of time as they may deem necessary ; but no policy of insurance shall be made, until the sum subscribed to be insured, shall amount to fifty thousand dollars.

Authorized to insure when \$50,000 is subscribed to be insured.

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

When losses exceed 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 in this State, household furniture and goods, against damage arising to the same by fire originating in any cause other than by design in the insured, and to any amount not exceeding three fourths of the value of the property insured. And in case any member shall sustain damage by fire over and above the then existing funds of the corporation, the corporation, or such of its officers, as shall by vote be designated for that purpose, shall assess such further sum or sums upon each member, as may be in proportion to the sum by such member insured, and at the rate of hazard originally agreed on.

Monies of the corporation how secured.

Each of the insured to receive his proportion of the funds on expiration of his policy.

SECT. 4. *Be it further enacted,* That the monies of said corporation shall be invested in the stock of some incorporated bank, stock of the United States, or of this State, or in notes or bonds secured by mortgages. And each of the insured shall have a right, at the expiration of his policy or policies, to demand and receive from the corporation, such share of the remaining funds in proportion to the sum by him actually paid in, as the corporation by its by-laws, existing at the time of making his policy, shall determine.

Proceedings in case of loss.

SECT. 5. *Be it further enacted,* That whenever any person shall sustain any loss by fire, of the property so insured, he shall within sixty days next after such loss, and before any repairs or alterations are made, give notice in writing of the same to some officer of said corporation, or other person appointed thereby for that purpose, whose duty it shall be to view immediately where the fire

happened, and inquire into the circumstances attending it, and determine in writing, by him or them subscribed, the amount, if any, of the liability of said corporation for such loss; and if the sufferer shall not acquiesce in such determination, such sufferer, within sixty days next after such determination is made known, may 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, on trial, recover as damages, more than the amount determined as aforesaid, no costs shall be allowed to 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.

SECT. 6. *Be it further enacted,* That said corporation may hold real and personal estate to any amount necessary for the purposes aforesaid; and shall have power to make such by-laws, rules and regulations, as may be thought proper, not repugnant to the constitution and laws of this State.

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

SECT. 7. *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 such 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, containing a description of such estate, and signed by the Secretary of said corporation, shall be filed in the office of the Clerk of the Town wherein the estate insured is situated, and the clerk for filing said certificate and keeping a suitable index thereof, shall be entitled to receive six cents.

The land under and appurtenant to a building insured holden as security for deposite money and assessments.

Proviso as to the form of the policy and filing certificate of the same in the office of the Town-Clerk.

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

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 next after the demand made, to pay the deposit money or any assessment, he or they shall be liable to a suit of the corporation therefor, in an action of the case, in any court of competent jurisdiction; and the said corporation having obtained judgment and execution therefor, may cause such execution, at their election, to be satisfied by sale and conveyance of the interest of the insured, in the building insured, and 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; 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 at which it was sold, with twelve per cent. interest thereon, deducting therefrom the rents and profits over and above the repairs and taxes.

First meeting how
called.

SECT. 9. *Be it further enacted,* That any two of the persons herein named are authorized to call the first meeting of said corporation by advertising the same two weeks successively in the newspapers printed at Bath.

Powers herein
granted subject to
the pleasure of the
Legislature.

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

CHAP. 57.

AN ACT to incorporate the Kennebec Leather Manufactory.

Approved February 28, 1829.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assem-*