

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

ELEVENTH LEGISLATURE,

At its Session commencing January 5th, 1831.

PUBLISHED AGREEABLY TO THE RESOLVE OF 28TH JUNE, 1820.

Portland.

TODD AND HOLDEN.....PRINTERS TO THE STATE.

1831.

grees, thirty minutes West, four hundred and seventy-five feet and one half, to Main street; thence North, thirty-three degrees East, one hundred and eighteen feet, on said Main street to a brook; thence South sixty-six degrees, thirty minutes East, one hundred and seventy-eight feet; thence South, seventy-one degrees, thirty minutes East, one hundred and six feet and one half; thence North two degrees West, one hundred and sixty-one feet; thence North eighty-eight degrees East two hundred and four feet; thence South two degrees East, three hundred and thirty four feet, to low water mark; thence by low water mark, to the first mentioned bounds, containing three acres, and one hundred and thirty-three square rods. And said corporation shall have power to sell, grant, or alien in fee simple, or otherwise, the aforesaid premises, or any part thereof, and also to manage and improve the same, in such way as may be determined by two thirds of the votes of said Proprietors, at any legal meeting of said corporation.

Power respecting the same.

CHAPTER 179.

AN ACT to incorporate the Sidney Mutual Fire Insurance Company.

Approved March 25, 1831.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled, That Erasmus D. Howard, William Lovejoy, Albert Mitchell, Eben Sawyer, Ambrose Howard, Moses Dyer, John Sawtell, Jr. William Brown, their associates and successors be, and they hereby are created a body politic and corporate, by the name of the Sidney Mutual Fire Insurance Company, with power to exercise and*

Persons incorporated.

enjoy all the powers and privileges incident to such corporations.

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.

May choose officers and establish by-laws.

Members may vote by proxy.

SECT. 3. *Be it further enacted,* That when the sum subscribed by the associates to be insured, shall amount to thirty five thousand dollars, said corporation shall 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 an amount not exceeding three quarters of the value of the property insured.

Insurance, when, and to what extent made.

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.

Funds not to exceed \$4000, how appropriated.

When assessments may be made.

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 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

Executions against corporation, how satisfied.

them for that purpose; and any Director who may thus have his property taken, may sustain an action on the case, to recover indemnity therefor, of the corporation.

The Director's remedy.

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 deposit 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 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 Register for filing said certificate and keeping a suitable index thereof shall be entitled to receive six cents.

Lien on buildings insured and land under the same.

Condition on which the lien is to attach.

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, for any sum due, either on a deposite note, or by assessment; and the execution which may be issued 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

Proceedings when resort is had to the lien.

Sale to be public.

Redemption.

of sale, the amount of the execution, and twelve per cent. interest thereon.

Distribution of funds.

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.

First meeting.

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 any one of the newspapers printed in the town of Augusta, or Hallowell.

Office to be kept in Sidney.

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

Powers reserved.

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.

CHAPTER 180.

AN ACT additional to the several Acts for the preservation of Fish in Penobscot River and Bay, and the several streams emptying into the same.

Approved March 25, 1831.

Wears may stand till July 12th annually.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That all wears, which may hereafter be erected in Penobscot river and Bay for the purpose of catching or taking any fish thereby, shall not be liable to be removed till the twelfth day of July annually; and it shall be lawful for any person or persons to set and maintain such wears, for the purpose of taking salmon in the waters aforesaid, between the twentieth day of April and the twelfth day of July annually, and not af-

They may be maintained from April 20, to July 12, annually.