

MAINE STATE LEGISLATURE

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PRIVATE AND SPECIAL

ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

THIRTEENTH LEGISLATURE,

AT ITS SESSION COMMENCING JANUARY 2, 1833.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:

I. BERRY & CO. PRINTERS TO THE STATE.

1833.

CHAPTER 351.

AN ACT to incorporate the town of Milford.

Approved February 28, 1833.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the plantation called Sunkhaze in the County of Penobscot, being township numbered three on the east side of Penobscot river Old Indian Purchase, bounded on the west by Penobscot river, on the east by the west line of the Lottery township, on the north by township numbered two, on the south by township numbered four with the inhabitants thereof, be and the same hereby is incorporated into a town by the name of Milford.

Boundaries
described.

SECT. 2. *Be it further enacted,* That any Justice of the Peace for said County may issue his warrant directing some inhabitant of said town to notify said inhabitants to meet, at a time and place in said warrant specified, to choose all necessary town officers.

First meeting—
how to be called.

CHAPTER 352.

AN ACT to incorporate the Winthrop Mutual Fire Insurance Company.

Approved February 28, 1833.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Samuel Clark, George W. Stanley, Samuel Benjamin, Milton Chandler, John May, Elijah Wood and Samuel P. Benson, with their associates, successors and assigns, be and they hereby are incorporated into a Company, by the name of the Winthrop Mutual Fire Insurance Company, for the purposes, and with the powers incident to similar Corporations; and by that name may sue and defend; use a common seal; es-

Names of per-
sons incorpora-
ted.

Powers &c.

establish by-laws for the management of their affairs, not repugnant to the laws of the State; choose all necessary officers, 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 authorized in writing.

When the sum subscribed shall amount to \$30,000, Corporation may insure &c.

SECT. 2. *Be it further enacted,* That when the sum, subscribed by the associates to be insured, shall amount to Thirty Thousand Dollars, said Corporation shall then be authorized to insure for the term of from one to seven years, any dwelling house, store or other building, household furniture and goods, in this State, against any loss or damage by fire, originating in any cause other than by design in the assured, to any amount not exceeding three quarters of the value thereof.

Funds—how to be vested &c.

SECT. 3. *Be it further enacted,* That the funds of the Corporation 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. If any member shall have a just claim exceeding the amount of the then existing funds, the Directors shall, without delay, assess such sums as may be necessary, upon the members, in proportion to the sums by each one insured.

Execution recovered against said Corporation.

SECT. 4. *Be it further enacted,* That if the Directors shall, for the space of sixty days after demand made upon them for the payment of any execution recovered by any member against the Corporation, neglect to satisfy the same, it shall be lawful to levy said execution upon the private property of any one or more of the Directors, who are hereby authorized to recover compensation therefor by action against the Corporation.

Buildings insured &c. shall be held as security for premium notes &c.

SECT. 5. *Be it further enacted,* That whenever the Corporation shall make insurance on any building, such building and the land under the same and appertenant thereunto, shall be holden as security for such deposit money, premium notes and assessments as the person thus insured shall be liable to pay. And the policy 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 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 insured estate is situated, and the Register, for filing said certificate and keeping a suitable index thereof, shall be entitled to receive Six Cents.

SECT. 6. *Be it further enacted*, That, in case it shall become necessary to resort to such lien, it shall be the duty of the Treasurer, before attempting to compel payment by selling the insured premises, first, to demand payment of the insured or of his legal representatives and likewise of the tenant of the estate insured. If payment be refused, the Corporation may then sustain an action on the case against the insured or his legal representatives, for any sum due either on a deposit note, premium note or 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 a part thereof at public auction, giving the same notice and proceeding in the same manner as is required in the sales of equities of redemption on execution. And the owner or owners shall have a right to redeem the estate thus sold within one year therefrom, by paying the costs of sale and the amount of the execution with twelve per cent. interest thereon.

Treasurer shall demand payment of the insured, before attempting to compel payment by selling the premises, &c.

SECT. 7. *Be it further enacted*, That each of the insured, at the expiration of his policy, shall have a right to demand and receive from the Corporation his share of the remaining funds, in proportion to the sum by him actually paid.

Each of the insured entitled to his share of the remaining funds.

SECT. 8. *Be it further enacted*, That this Corporation and its office of business shall be established in the town of Winthrop, and any three of the persons above named may call the first meeting, by publishing the time and place thereof fourteen days previously in any newspaper printed in Winthrop or Augusta.

Corporation to be established in the town of Winthrop.

First meeting.