

MAINE STATE LEGISLATURE

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PRIVATE

AND

SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

SEVENTEENTH LEGISLATURE,

JANUARY SESSION, 1837.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1837.

First meeting.

Joshua Herrick, or either of them be, and they hereby are authorized to issue a warrant directed to some member of said corporation, requiring him to notify the members thereof, to assemble at some suitable time and place in said Kennebunk Port, by posting up notices in three public places in said village, seven days at least, before the time of said meeting.

When to take effect.

SECT. 9. *Be it further enacted*, That this Act shall take effect and be in force after the same shall be accepted by a vote of two thirds of the legal voters present at a meeting of said corporation called agreeably to the eighth section of this Act.

Chapter 259.

AN ACT to incorporate the Fisherman's Mutual Insurance Company of Eastport.

Approved February 28, 1837.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That Gilman Lamprey, Jacob Shackford, William Shackford, John L. Bowman, Enoch J. Noyes, Jonathan Buck, Israel D. Andrews, William A. Saline, Zebulon A. Paine, John French, William M. Brooks, Daniel Kilby and Leonard Shaw, with their associates, successors and assigns, be, and they hereby are, created a body corporate by the name of the Fisherman's Mutual Insurance Company of Eastport, with power to purchase and hold such real and personal estate as may be necessary to effect the objects of their association, and to enjoy all rights and powers incident to such corporations.

Corporate name.

SECT. 2. *Be it further enacted*, That all and every person or persons, who shall at any time become interested in said company by insuring therein, and also their respec-

tive heirs, executors, administrators and assigns, continuing to be insured therein, as hereinafter provided, shall be deemed and taken to be members thereof, for and during the terms specified in their respective policies and no longer, and shall, at all times, be concluded and bound by the provisions of this Act.

SECT. 3. *Be it further enacted*, That there shall be a meeting of said company at Eastport, in the County of Washington, on the first Monday of April annually, and on such other days as the company may hereafter determine; at which meeting shall be chosen by a major vote of the members present, a Board of Directors, consisting of not less than five, nor more than seven members, who shall continue in office until others shall have been chosen, and accepted the trust, in their stead. All vacancies happening in said Board may be filled by the remaining members until the next annual meeting; and a majority of the whole number shall constitute a quorum for the transaction of business. Special meetings of the company may be called by order of the Directors, or in such manner as the by-laws thereof may have prescribed.

SECT. 4. *Be it further enacted*, That the Board of Directors shall superintend the concerns of said company, and shall have the management of the funds and property thereof, and of all matters and things thereunto relating not otherwise provided for by said company. They shall have power from time to time to appoint a Secretary, Treasurer and such other officers, agents and assistants as to them may seem necessary; and prescribe their duties; fix their compensation; take such security from them, as they may deem necessary for the faithful performance of their respective duties, and may remove them at pleasure. They shall determine the rates of insurance, and the amount of the note to be deposited for the insurance thereof. They shall order and direct the making and issuing of all policies of insurance; the providing of books, stationery and other things needful for the office of said company, and for carrying on the affairs thereof; and may draw upon

the Treasurer for the payment of all losses which may have happened, and for expenses incurred in transacting the concerns of said company. They shall elect one of their own number to act as President, and may hold their meetings monthly and oftener if necessary, and shall keep a record of their proceedings.

Members of said company to deposit note, part of which to be immediately paid.

SECT. 5. *Be it further enacted,* That every person, who shall become a member of said company by effecting insurance therein, shall, before he receives his policy, deposit his promissory note for such sum of money as shall be determined by the Directors; a part, not exceeding eight per cent., of which said note, shall be immediately paid for the purpose of discharging the incidental expenses of the institution and endorsed thereon; and the remainder of said deposit note shall be payable in part or the whole at any time when the Directors shall deem the same requisite for the payment of losses or other expenses; and at the expiration of the term of insurance, the said note or such part of the same, as shall remain unpaid after deducting all losses and expenses occurring during said term, shall be relinquished and given up to the signer thereof.

Members bound to pay proportion of all losses.

SECT. 6. *Be it further enacted,* That every member of said company shall be, and hereby is, bound and obliged to pay his or her proportion of all losses and expenses happening or accruing in and to said company, to the amount of his or her deposit note and no more. And the company shall have a lien against the assured on all vessels insured by them during the continuance of his or her policy to the amount of his or her deposit note and no more.

Company shall have a lien, &c.

Members sustaining loss to give notice to Directors.

SECT. 7. *Be it further enacted,* That when any member shall sustain any loss, by storm, tempest, or other accident of the property so insured, the said member shall within ninety days next after such loss, or within twenty days after his being informed of such loss, give notice thereof in writing to the Directors, or some one of them, or to the Secretary of said company; and the Directors upon a

view of the same, or in such other way as they may deem proper, shall ascertain and determine the amount of said loss: And if the party suffering is not satisfied with the determination of the Directors, the said party within three months next after such determination is made known, may bring an action at law against said corporation, 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 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.

When the sufferer is not satisfied with the determination of Directors, he may bring an action at law.

SECT. 8. *Be it further enacted,* That the Directors shall, after receiving notice of any loss or damage by sea sustained by any member, and ascertaining the same, settle and determine the sums to be paid by the several members thereof, as their respective proportion of such loss; and publish the same in such manner as they shall see fit, or as the by-laws shall have prescribed. And the sum to be paid by each member shall always be in proportion to the original amount of his deposite note, or notes, and shall be paid to the Treasurer within thirty days next after the publication of said notice. And if any member shall, for the space of thirty days, after such notice, neglect or refuse, to pay the sum assessed upon him, her, or them, as his, her, or their proportion of any loss or damage, as aforesaid, in such case the Directors may sue for and recover the whole amount of his, her, or their, deposite note or notes, with costs of suit; and the money thus collected shall remain in the Treasury of said company, subject to the payment of such losses and expenses as have or may thereafter accrue; and the balance, if any remain, shall be returned to the party from whom it was collected, on demand after thirty days from the expiration of the term for which insurance was made.

Directors on receiving notice of any loss, to settle and determine the sum to be paid in.

On the neglect of any one to pay the sum assessed upon him, Directors may sue, &c.

SECT. 9. *Be it further enacted,* That the said company may make insurance for any term not exceeding four years, on any vessels or boats of any and every description; also on any merchandize, fittings, advances and profits,

May insure for any time not exceeding four years.

When property insured shall be alienated by sale, &c., policy to be void.

for any voyage or voyages, against loss or damage, by winds, waves, or storms, originating in any cause other than by design in the assured, and that when the property insured shall be alienated by sale or otherwise, the policy shall thereupon be void, and be surrendered to the Directors of said company, to be cancelled; and, upon such surrender, the assured shall be entitled to receive his, her, or their deposite note or notes, upon the payment of his, her, or their proportion of all losses and expenses that have accrued prior to such surrender.

First meeting.

SECT. 10. *Be it further enacted*, That any two of the persons herein named are authorized to call the first meeting by posting up advertisements in two or more public places in said town of Eastport, ten days prior to said meeting: and no policy shall be issued by said company until application shall be made for insurance and risks actually agreed on for six thousand dollars at least.

Chapter 260.

AN ACT to incorporate the Camden Mutual Fire Insurance Company.

Approved February 28, 1837.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled*, That William Carleton, Joseph Huse, Abraham Ogier, Jesse Page, Thomas Spear, John Eager, Lewis Ogier, James Burd, Joshua Dillingham, Robert Chase, Samuel G. Adams, Joseph Stetson, Abraham Simonton, Amon Dailey, Charles H. Wetherbee, Warren Rawson, Job Ingraham, Job Hodgman, Stephen Barrows and Robert Harkness, their associates, successors and assigns, being owners of buildings, are hereby created a corporation by the name of the Camden Mutual Fire Insurance Company, with all the powers and privileges incident to similar corporations; and said corporation shall be established, and their office kept for the transaction of business at Camden in the County of Waldo.

Corporate name.

Location.