

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 :
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1837.

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.

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 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.

Transaction of business.

Voters, may vote by proxy, may choose officers, &c.

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.

May insure from one to ten years.

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.

Monies of said corporation shall be invested in stock of some Bank or in notes secured by mortgage.

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 hap-

Persons sustaining loss to give notice to some officer of the corporation before any repairs or alterations are made.

Sufferers not satisfied with the determination, may bring an action at law.

pened, and enquire 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 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.

Power of corporation.

SECT. 6. *Be it further enacted*, That said corporation shall be entitled to 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.

Buildings, &c., land insured—holden for insurance.

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, the date of the policy and the sum insured thereon, shall be filed in the Clerk's office of the town in which such estate or property insured may lie; for receiving and filing which certificate the Town Clerk shall be entitled to receive six cents.

Proviso.

Certificate to be filed in Clerk's office of the town in which such property lies, &c.

Compensation for filing certificate.

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 representa-

tives, shall neglect for thirty days next after the demand made, to pay the deposite 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.

Persons neglecting to pay deposite money or assessment, liable to a suit.

Execution may be satisfied by sale and conveyance of building and land of the insured.

Proviso.

Right of redeeming.

Chapter 261.

AN ACT giving the privileges of legitimacy to certain persons therein named.

Approved March 7, 1837.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That Charles Frost, Jun'r, and Lucy Norwood, wife of Moses Norwood, children of Charles Frost and Abigail Frost of Perry, in the County of Washington, born out of wedlock, and until the passage of this Act illegitimate, are hereby declared to be legitimate, and entitled to all the privileges and subject to all the liabilities of children born in wedlock.