

MAINE STATE LEGISLATURE

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P R I V A T E

AND

S P E C I A L A C T S

OF THE

S T A T E O F M A I N E ,

PASSED BY THE

S E V E N T E E N T H L E G I S L A T U R E ,

J A N U A R Y S E S S I O N , 1 8 3 7 .

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA :
SMITH & ROBINSON, PRINTERS TO THE STATE.

1 8 3 7 .

Chapter 318.

AN ACT to incorporate the Machias Port Mutual Fire Insurance Company.

Approved March 21, 1837.

CORPORATORS. SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That Samuel Small, Jonathan Marston, William Sanborn, Jr., Enoch Norton, C. W. Gates, Jacob Barter, Michael Small, John T. Sanborn, Abraham Butterfield, J. H. Peterson, George Libby, John Phinney, William Phinney and Job Small, with their associates and successors, shall be a corporation by the name of the Machias Port Mutual Fire Insurance Company, and possess all the powers and privileges incident to such corporations.

CORPORATE NAME.

POWERS, &c. 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 the 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.

MEMBERS MAY VOTE BY PROXY.

MAY INSURE FROM ONE TO SEVEN YEARS. SECT. 3. *Be it further enacted,* That when the sum subscribed by the associates to be insured, shall amount to fifty thousand dollars, said corporation shall then be authorized to insure for the term of one to seven years, any dwelling house, store or other building, and household furniture in this State, against 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 of the property insured.

FUNDS TO BE VESTED IN STOCKS, OR LOANED, &c. SECT. 4. *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.—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 may be necessary, on the members, which assessments shall be in proportion to the sum or sums by each member insured.

Directors shall assess such sums as may be necessary, &c.

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 or more of the Directors, *Provided* they refuse or neglect, for the space of sixty days to satisfy the execution, after demand made on them for that purpose; and any Director who may thus have his property taken, may sustain an action on the case to recover compensation therefor, of the corporation.

Executions of any member may be levied on any of the funds, and for want thereof, on the private property of Directors.

SECT. 6. *Be it further enacted*, That whenever said corporation shall make insurance on any buildings, such buildings, the land under the same, and appurtenant thereto, shall be holden as security for such deposit money, premium note 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 the said buildings and land thereof, 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 suitable index thereof, shall be entitled to received six cents therefor.

Buildings and lands holden for insurance.

Lien shall continue, though the property be sold.

Proviso.

SECT. 7. *Be it further enacted*, That in case it shall 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, and likewise of the tenant of the insured estate. In case payment is refused, said corporation may then sustain an action on

Duty of Treasurer in compelling payment, by the lien.

the case against the insured or his legal representative, for any sum due either on deposit note, premium note, or by 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 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. 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 cost of sale, the amount of the execution, and twelve per cent., interest thereon.

Owners of estate sold, may redeem the same in one year.

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 actually paid.

Members entitled to proportion of the remaining funds.

SECT. 9. *Be it further enacted*, That any three members named in this Act, may call the first meeting by publishing notice thereof in the Eastport Sentinel a newspaper printed in Eastport ten days at least previous to the time of such meeting.

First meeting.

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

Location of their office.

SECT. 11. *Be it further enacted*, That the powers granted in this Act may be enlarged, restrained or annulled, at the pleasure of the Legislature.

Chapter 319.

AN ACT to incorporate the Hope White Marble Company.

Approved March 21, 1837.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That John Talman, Alvan Cush-

Corporators.