

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.

Chapter 380.

AN ACT to incorporate the Woolwich Mutual Fire Insurance Company.

Approved March 29, 1837.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That John Stinson, T. P. Delano, C. T. Otis, D. G. Farnham, Albert Delano, Jas. F. Gilmore Theodore Blin James Blin John Gilmore Alfred Reed W. D. Leonard Jos. A. Day John Corlis Cleaveland Buck Lincoln Webb Samuel Reed second Ebenr. Preble Jotham R. Trott John Perkins Junr. Sylvester Dodge and John Thwing—with their associates and successors being owners of buildings, shall be a corporation under the name of the Woolwich Mutual Fire Insurance Company who shall keep their office at Woolwich, and enjoy all privileges and powers incident to such corporations.

Corporators.

Corporate name.

Powers, &c.

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 being entitled to as many votes as he has policies with the right of voting by proxy; and said 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 be fifteen thousand dollars.

Members may vote by proxy.

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,

May insure on any building or furniture.

May assess any necessary sum on members of corporation.

as may be in proportion to the sum by such member insured, and at the rate of hazard originally agreed on.

SECT. 4. *Be it further enacted,* That the moneys 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 lands 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.

Moneys of the corporation to be vested in stocks.

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 happened, and enquire into the circumstances attending it, and determine in writing by him or them subscribed, the amount, if any, of the liability of such 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 such 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 cost shall be allowed the plaintiff, but the corporation shall receive its cost, and execution shall issue for the balance in favor of the party entitled to recover it.

Persons sustaining loss, to give notice in writing.

Amount of the liabilities of corporation to be determined in writing, &c.

Sufferer not agreeing to the determination may bring an action at law.

SECT. 6. *Be it further enacted,* That said corporation shall be entitled to hold real and personal estate to any amount necessary for the purpose aforesaid, and shall have power to make such by-laws rules and regulations, as they may think proper, not repugnant to the constitution and laws of the State.

May hold estate, &c.

Make necessary by-laws.

Buildings and
land holden for
insurance.

Proviso.

Date of policy to
be filed in Clerks
office of the town.

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 assessment, 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 the estate or property insured may be ; for receiving and filing which certificate the Town Clerk shall be entitled to receive three cents.

Members neglect-
ing to pay depo-
site money or
assessment, lia-
ble to a snit.

Execution to be
satisfied by sale
of the interest of
the insured in.

Right of redemp-
tion, within one
year.

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 representatives, 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.

First meeting.

SECT. 9. *Be it further enacted*, That any two of the persons herein named are authorized to call the first meet-

ing, by advertising the same three weeks previous to the time of said meeting in the several school houses in Woolwich.

SECT. 10. *Be it further enacted*, That the powers granted by this Act may be enlarged restrained or annulled, at the pleasure of the Legislature.

Chapter 381.

AN ACT to incorporate the Delphi Granite Company

Approved March 29, 1837.

Be it enacted by the Senate and House of Representatives, in Legislature assembled, That Joseph Chandler, John Masters, Johnson Williams and Henry Masters, their associates, successors and assigns be, and they hereby are created a corporation by the name of the Delphi Granite Company—for the purpose of quarrying, manufacturing, vending and dealing in granite, and for the purpose of erecting wharves, workshops and other buildings necessary for the operations of said company, upon their own land in the town of Phippsburg, in the County of Lincoln—*Provided, however*, that no powers herein granted shall extend so far as to effect the interest of the public, or the rights of individuals. And said company may have power to hold real and personal estate to an amount, not, at any one time, exceeding one hundred thousand dollars; and shall have all the rights and privileges, and be subject to all the duties, and requirements, expressed in the several Acts of this State defining the powers and duties of manufacturing corporations.

Corporators.
Corporate name.
Powers, &c.
Proviso.
Capital Stock,—
\$100,000.