

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

PRIVATE

AND

SPECIAL ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

NINETEENTH LEGISLATURE,

JANUARY SESSION, 1839.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:
SMITH & ROBINSON, PRINTERS TO THE STATE.

1839.

Chapter 524.

AN ACT incorporating the Wiscasset and Woolwich Mutual Fire Insurance Company.

Approved March 4, 1839.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That John G. Gould, Frederick Trask, Eben Averill, Joseph Lowell, John H. Sheppard, Wilmot Wood, John Baker, Solomon White, James McNear, John Porter, Abner Foye, Francis Cushman, Benj'n Donnell, Nath'l Packard, Levi Shattuck, Charles McKenney, John Getchell, Jr., Smith Fairfield, John M. Bailey, Jr., John H. Savage, Jesse Bailey, Nath'l G. Gould, John Gould, Edward Farnham, Joshua Baker, Eben Farnham, John Carlton, Isaiah Hedge, Ralph C. Curtis, Benj'n Trott, 2d, with their associates and successors, being owners of buildings, shall be, and hereby are constituted a body politic and corporate, by the name of the Wiscasset and Woolwich Mutual Fire Insurance Company, who shall keep their office at Wiscasset, or Woolwich, and enjoy all the privileges and powers, incident to such corporations.

Corporators.

Corporate i. e.

SEC. 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 twenty thousand dollars.

Number of votes.
May vote by proxy.

SEC. 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

Term of insurance, and the amount.

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.

SEC. 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 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.

SEC. 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 inquire 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 to 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.

SEC. 6. *Be it further enacted,* That said corporation may hold real and personal estate to any amount necessary

Moneys to be invested in the stock of some Bank, or other stock.

Persons sustaining loss, to give notice in writing within 60 days.

When dissatisfied, may bring an action at law, &c.

May 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 may be thought proper, not repugnant to the constitution and laws of this State.

SEC. 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 deposit 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, and signed by the Secretary of said corporation, shall be filed in the office of the clerk of the town, wherein the estate insured is situated, and the clerk for filing said certificate and keeping a suitable index thereof shall be entitled to receive six cents.

Buildings and land holden for insurance.

Certificate of description of property to be filed with Clerk of the Town.

SEC. 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 deposit 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

Deposit money to be paid within thirty days.

May redeem property sold within one year.

it was sold, with twelve per cent, interest thereon, deducting therefrom the rents and profits, over and above the repairs and taxes.

First meeting—
how called.

SEC. 9. *Be it further enacted*, That any two of the persons herein named are authorized to call the first meeting of said corporation by advertising the same during three weeks (previous to the time of said meeting) in the several school-houses in the said towns.

SEC. 10. *Be it further enacted*, That the powers granted by this act may be altered or annulled, at the pleasure of the Legislature.

Chapter 525.

An Act to incorporate the Town of Bowerbank.

Approved March 4, 1839.

Be it enacted by the Senate and House of Representatives in Legislature assembled, That township numbered seven in the eighth range north of the Waldo Patent, usually called Bowerbank, together with a tract of land northerly of Sebec Pond which was set off from the town of Foxcroft and annexed to said township number seven in the eighth range, by an act passed February twenty third, one thousand eight hundred and twenty-eight, in the County of Piscataquis, with the inhabitants thereof, be and the same hereby is incorporated into a town by the name of Bowerbank, vested with all the powers and subject to all the duties of other incorporated towns in this State.