

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-THIRD LEGISLATURE

OF THE

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

A. D. 1843.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840, and March 16, 1842.  
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AUGUSTA:

WM. R. SMITH & Co., PRINTERS TO THE STATE.

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1843.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1843.

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**ERRATA:**

**The following leaf is  
inserted because one or more pages  
in this chapter have errors  
noticed and corrected here.**

# STATE OF MAINE.

SECRETARY'S OFFICE,  
Augusta, June 10, 1843. }

I HEREBY CERTIFY, That the acts and resolves contained in this pamphlet, have been compared with the originals deposited in this office, and that they appear to be correctly printed, with the exceptions mentioned in the *errata* hereunto annexed.

PHILIP C. JOHNSON, *Secretary of State.*

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## ERRATA.

### PUBLIC LAWS.

- Page 45, chap. 6, first line, for "hereafter," read "hereinafter"  
47, " 9, second line of sect. 3, for "rail" read "rail road"  
59, " 21, ninth line from top, after "shall" insert "also"  
70, " 31, third line from bottom of sect. 3, after "shall" insert "not"  
73, " 33, fourth line from bottom of sect. 3, before "companies" insert "the"  
74, " 33, sect. 4, sixteenth line, for "military duty" read "duty"

### PRIVATE AND SPECIAL LAWS.

- Page 87, chap. 81, third line of sect. 4, for "low" read "log"  
93, " 83, third line, for "Dolbier" read "Dolliver"  
96, " 88, second line from the top, after "as" insert "the"  
96, " 89, first line, for "James" read "Thomas"  
125, " 113, third line from the bottom of sect. 2, for "advise" read "advice"

### RESOLVES.

- Page 169, chap. 146, sixth line of preamble, for "said" read "such"

**CHAP. 20.**

Proviso, in re-  
gard to cities and  
towns.

equitable; and the cities and towns aforesaid are hereby authorized and empowered to demand, sue for, and recover the same, in any court of competent jurisdiction, with costs. And it is herein provided that all the expenditures required of cities and towns by the provisions of his act, are to be borne in the first instance by the city or town where the insane person resides at the time of the application and commitment; but all such expenses shall be reimbursed and paid by the city or town, where such patient has his or her legal settlement, in the same manner as the expenses for the support of paupers are recoverable by the laws of this state.

SECT. 12. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved March 22, 1843.]

**Chapter 20.**

AN ACT explanatory of the seventeenth rule of chapter first of the revised statutes.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

17th rule, chap. 1,  
R. S. defined.

The seventeenth rule of chapter first, of the revised statutes, shall not be so construed as to change, alter, or enlarge the powers, duties and liabilities of organized plantations, as set forth and defined in other chapters of said revised statutes.

[Approved March 22, 1843.]

**Chapter 21.**

AN ACT respecting agencies of foreign insurance companies within this state.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

Agent to deposit  
with state treas-  
urer copy of char-  
ter and his pow-  
er of attorney.

SECT. 1. Every person who shall undertake to make insurance in this state, as the agent for, or in behalf of any corporation, established in any other state, or country, shall deposit with the treasurer of this state a copy of the charter of such foreign corporation, and a copy of the power of attorney given to him by the corporation.

Agent before  
granting policies  
to deposit with  
treasurer of state

SECT. 2. Every such agent shall, also, before making any contract of insurance as aforesaid, deposit with the treasurer of this

## CHAP. 21.

state, a statement, signed and sworn to by a majority of the directors of the corporation for which he acts, specifying the amount of its capital and the manner of its investment, designating the amounts invested respectively, in mortgages, in public securities, in the stock of incorporated companies, (stating what companies,) and also the amount invested in other securities, particularizing each item of investment; and the agent shall publish said statement in some newspaper printed in the county wherein he transacts the business of his agency; and he shall on the first Monday of January, in every year, during the continuance of his agency, deposit with the treasurer of this state, a similar statement of the capital of the incorporation and the investment thereof, to be annually made out, signed and sworn to as before directed, and annually publish the same, as before directed.

a statement of stock and its investment.

To publish same.

Similar statement to be made annually.

Same to be published.

SECT. 3. No person shall be allowed to act as agent for such foreign insurance company, in making any contract of insurance, with any person in this state, unless the capital stock of the company for which he acts amounts to the sum of one hundred and fifty thousand dollars, actually paid in, in money, and invested, exclusively of any obligations of the stockholders, of any description, nor unless said company shall be restricted by its charter, or otherwise, so that it cannot lawfully insure, in any one risk, a greater hazard, than one tenth part of the amount of its capital.

No person to act as agent in certain cases.

SECT. 4. If any person shall undertake, as agent for any such foreign corporation, to make or renew, directly or indirectly, any contract of insurance within this state, and with any person resident therein, without having complied with the requisitions of the preceding sections, or in any way contrary to the true intent and meaning thereof, he shall forfeit to the state, for every such offence, the sum of two hundred dollars, to be recovered on complaint before the district court of common pleas for any county where such offence shall be committed.

Penalty.

SECT. 5. Every person acting in this state, as the agent of any insurance company incorporated in any other state, shall pay into the treasury of this state a tax of ten per cent. on the amount of premiums received by him in this state, as such agent on marine risks, and one sixth of one per cent. on the whole amount insured or procured to be insured by him in this state as such agent, on all policies against loss or damage by fire.

Tax to be paid the state on policies.

SECT. 6. Every agent of such insurance company incorporated in another state, shall on the first Mondays of April and October, in every year, during the continuance of his agency, make a return on oath to the treasurer of this state, of the amount insured or

Agent to return amount insured to state treasurer.

CHAP. 22.

To pay tax on same.

procured to be insured by him in this state as such agent, and the amount of premiums thereon, during the then last half year, and shall at the same time pay to the treasurer the said tax of ten per cent. on the amount of premiums received on all marine, and one sixth of one per cent. on fire policies, made as aforesaid.

Penalty.

SECT. 7. If any such agent shall neglect to make such returns as are required in the preceding section, or if he shall make the same falsely or fraudulently, he shall for every such offence forfeit to the use of the state one thousand dollars.

Agent to give bond.

SECT. 8. Every agent of an insurance company incorporated in another state, shall before making or procuring to be made any contract of insurance as aforesaid, give a bond to the treasurer of this state, with two or more sureties to be approved by him, in the sum of five thousand dollars at least, with condition to make the semi-annual returns before required, and to pay the said tax of ten per cent. on the amount of all premiums received on marine risks, and one sixth of one per cent. on risks from fire.

Attorney general to prosecute for fines.

SECT. 9. It shall be the duty of the attorney general and of the several county attorneys in this state, to prosecute for all fines and forfeitures that may accrue under this act.

[Approved March 22, 1843.]

**Chapter 22.**

AN ACT to prevent the taking of salmon trout in Goose pond.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:*

Penalty.

That if any person after the passing of this act, shall take or destroy, otherwise than by hook and line, any trout in Goose pond, (so called) lying in the towns of Swanville, Prospect and Frankfort, between the first day of September and the last day of December next following, he shall forfeit and pay a fine of three dollars, for every trout so taken, or destroyed. And all fines arising from a violation of this act, may be recovered by action of debt, one moiety thereof to the use of the town in which the provisions of this act shall be violated, and the other moiety thereof to any person who may sue for the same.

Appropriation of fines.

[Approved March 22, 1843.]