

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-FOURTH LEGISLATURE

OF THE

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

A. D. 1844.

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

AUGUSTA:

W^M R. SMITH & Co., PRINTERS TO THE STATE.

1844.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1844.

CHAP. 105.

possession shall issue, otherwise the plaintiff shall be entitled to his writ of possession in due form of law.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act, and section ninth of the chapter to which this is additional, are hereby repealed.

[Approved March 16, 1844.]

Chapter 105.

AN ACT in addition to an act, regulating the alewife fishery in the town of Bristol.

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

Placing nets, weirs, &c. in Pemaquid river from May 1 to July 1, prohibited.

SECT. 1. No person shall be allowed to set or place any net, weir, seine, or other machine in the Pemaquid river, or in or across any stream, creek, inlet or cove, in said river, from the first day of May to the first day of July, within one mile from the junction of the fresh stream with the river aforesaid, under the penalty of ten dollars for each and every offence.

Penalty.

How recoverable.

SECT. 2. All penalties or forfeitures under this act shall be sued for and recovered, as is provided for in section six of the act to which this is additional.

[Approved March 19, 1844.]

Chapter 106.

AN ACT authorizing school districts in this state to purchase school libraries.

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

School districts may purchase libraries.

SECT. 1. Any school district in this state is hereby authorized to purchase with any money that may be appropriated to said district for school purposes, a library for the use of the school ; provided, a majority of the district shall so vote. But there shall not be expended in one year more than five per cent. of the whole amount appropriated to any district in the year.

Expenditures restricted.

Adjacent districts may unite for purchase of libraries.

SECT. 2. If any two adjacent districts shall severally vote to unite for the purchase of a library, they are hereby authorized so to do.

SECT. 3. Every district that purchases a library as aforesaid, shall make such rules and regulations for the preservation and management of the same as they may deem proper.

CHAP. 107.

Rules and regulations.

[Approved March 19, 1844.]

Chapter 107.

AN ACT giving to mortgagees of real estate a lien on policies of assurance against fire.

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

SECT. 1. Whenever the mortgagor of any real estate shall hold or obtain, from any insurance company or companies within this state, a policy or policies of assurance against loss by fire, upon any building or buildings thereon situated, the mortgagee of said real estate shall have a lien upon said policy or policies of assurance and upon any and all moneys which may become due upon the same, by reason of the destruction by fire of any such building or buildings, to the full amount of the sum or sums which may be equitably due on the mortgage. Provided, however, his said lien shall not take effect except from and after the time the said mortgagee shall file with the secretary of said insurance company or companies, a notice in writing of his holding a mortgage deed of said real estate, the amount which he claims as equitably due thereon, and of his intention to secure to himself the benefit of the provisions of this act.

Any mortgagee shall have a lien upon policies of insurance to the amount of his mortgage.

Provido.

SECT. 2. Whenever any mortgagee shall have notified any insurance company of his holding a mortgage of any insured property, as provided in the first section, and the mortgagor shall consent in writing, that the amount secured by the policy, or so much thereof as remains due on the mortgage, may be paid to the mortgagee, such consent in writing shall be sufficient authority to said company, on the occurrence of loss or damage by fire to the insured property, to pay the same agreeably to such consent; and the written receipt of the mortgagee or his agent or attorney shall be a sufficient discharge of all liabilities of said company, to the amount of the sum so authorized to be paid, or so much thereof as may be received for.

Any mortgagee shall receive the amount of his mortgage by proper notice to the insurance company from the mortgagee and mortgagor.

SECT. 3. But when such mortgagor shall not consent as aforesaid, any mortgagee or mortgagees, who shall have given the notice provided for in the first section, may, within thirty days after the

When proper notice shall be given by mortgagee, and mortgagor does not consent, the former may attach, &c.