

# 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.**

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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:*

W<sup>M</sup> R. SMITH & Co., PRINTERS TO THE STATE.

1844.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1844.

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CHAP. 108.

application of the assured to said insurance company for the payment of any loss payable by said company, or if the assured shall neglect to make such application within the time limited by law or by the terms of his policy, then within sixty days after the occurrence of the fire which occasioned the loss, attach the sum due on the policy, on a process of foreign attachment sued out against the mortgagor and the insurance company as his trustee, and recover so much thereof as may be due on the mortgage or mortgages which he or they may hold; and any sum so recovered, shall be held to be so far a payment of the debt or debts secured by the mortgage or mortgages.

Priority of mortgage determined by principles of common law, &c.

SECT. 4. Whenever two or more mortgagees shall claim to have the benefit of the provisions of this act, their several rights thereto shall be determined in the same order of priority, in which their individual claims under their respective mortgages to the property mortgaged would be determined by the principles of the common law, or any statute provisions then existing and in force.

The claims of any mortgagee, under the benefit of this act, on any policy of insurance, shall be void unless, &c.

SECT. 5. Whenever any mortgagee shall claim the benefit of the provisions of this act, any policy of insurance which said mortgagee may have procured or may subsequently procure, from any insurance company, on his interest in the same property by virtue of his mortgage or mortgages, shall be void, unless the company insuring the interest of the mortgagor shall have consented to such insurance of the interest of the mortgagee.

[Approved March 19, 1844.]

### Chapter 108.

AN ACT additional to chapter one hundred and seventy-three of the revised statutes.

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

Insane homicides shall be admitted to insane hospital.

Any person who may have committed, or shall hereafter commit, an act of homicide, when in a state of insanity, if the fact of insanity be certified by the court before which the trial of such insane person may be had, shall be admitted to the insane hospital, and shall be kept in the same, at his own expense, if he have sufficient property for the purpose; otherwise, at the expense of the state.

How supported.

[Approved March 19, 1844.]