

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

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

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1846.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1846.

Chapter 403.

CHAP. 403.

An Act to change the name of Susan Trask.

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

Susan Trask, of Hallowell, is allowed from and after the passage of this act, to take the name of Susan Fulsom. Change of name.

[Approved August 10, 1846.]

Chapter 404.

An Act to incorporate the Waterford Mutual Fire Insurance Company.

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

SECTION 1. George W. Plummer, Chaplain Nelson, John B. Rand, Levi Brown, Daniel Chaplin, Thomas Treadwell, Daniel Brown, Lewis W. Houghton, Ichabod Hayes, Eli Longley, Philip Barrows, their associates and successors shall be a corporation under the name of the Waterford Mutual Fire Insurance Company, who shall keep their office at Waterford in the county of Oxford and enjoy all the privileges and powers incident to such corporations. Corporators.

SECT. 2 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 sixty thousand dollars. Corporate name.

SECT. 3. Said corporation may insure for any term from one to seven years, any house or other building, 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 as may be in proportion to the sum by such member insured and at the rate of hazard usually agreed on. Each member entitled to as many votes as he has policies.

SECT. 4. 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 Right of voting by proxy.

Officers,Term of insurance.Property to be insured,Amount.Loss by fire over and above the then existing funds of the corporation, to be assessed upon each member pro rata.Funds to be invested.

CHAP. 404.

At the expiration of his policy each may demand his share of the remaining funds.

of the insured shall have a right at the expiration of his policy or policies to demand and receive from the corporation such shares 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.

Any member sustaining loss by fire to give notice within sixty days.

SECT. 5. 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 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.

Loss how determined.

If the sufferer is dissatisfied with the determination, remedy.

Costs of action, how paid.

May take and hold real and personal estate.

By-laws.

SECT. 6. Said corporation shall be entitled to hold real and personal estate to any amount necessary for the purposes 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.

Property insured holden as security for deposit money and assessments.

SECT. 7. Whenever said corporation shall make insurance on any buildings, 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 the said buildings and therefor, which lien shall continue notwithstanding any transfer of the property; *provided* it shall be expressed in the policy that the insurance is made subject to the lien created by law, and shall also be recorded in the registry of deeds of the county wherein the estate insured may lie.

Provlso.

Liability for neglect for 30 days after demand is made to pay the deposit money or assessments.

SECT. 8. If any member of said corporation obtaining insurances 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 the 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.

Proviso.

SECT. 9. Any two of the persons herein named are authorized to call the first meeting by advertising the same two weeks successively in the Oxford Democrat, a newspaper printed at Paris.

First meeting, how called.

SECT. 10. The powers granted, by this act, may be enlarged, restrained or annulled at the pleasure of the legislature.

[Approved August 10, 1846.]

Chapter 405.

An Act to incorporate the Baskahegan Dam Company.

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

SECTION 1. Abner R. Hallowell and William B. Harlow, their associates and assigns, are hereby incorporated a body politic, by the name of the Baskahegan Dam Company.

Corporators.

Corporate name.

SECT. 2. Said corporation shall have the right and it shall be their duty to construct and maintain a dam at the outlet of the Baskahegan pond or lake on township number nine, in the third range in the county of Washington, with proper gate or gates, in order to flow said lake to afford a head of water to facilitate the driving of logs to market; and they are further authorized to enter upon and take such land or material on said township, as they may find it necessary to make said dam, or upon which to locate their dam. *Provided, however,* that said corporation shall pay the proprietor or proprietors of said township number nine, for land or material so taken and used for their dam, such price as they and said proprietor or proprietors may agree upon. And in case said parties shall not otherwise agree, then said corporation shall pay such damages as shall be ascertained and determined by the county commissioners for the county of Washington, in the same manner and under the same conditions and limitations as are by law

Authorized to erect a dam.

Location.

Authorized to take land and material.

Proviso.

Damages, how determined.