

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1853.

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

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Augusta:  
WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1853.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1853.

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CHAP. 11.

they may see fit, by giving notice of the same for two weeks successively in some newspaper published in Bangor, for the purpose of organizing said corporation.

[Approved February 16, 1853.]

### Chapter 11.

An act to incorporate the Franklin Mutual Health Insurance Company.

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

Corporators.

SECT. 1. R. S. Torrey, S. P. Dinsmore, A. T. C. Dodge, Moses Morrill, Edward M. Fields, and George W. Wilcox, of Bangor, in the county of Penobscot, their associates, successors and assigns, are hereby made a corporation by the name of the Franklin Mutual Health Insurance Company, in the city of Bangor, for the purpose of making insurance on health.

Corporate name.

First meeting, when called.

SECT. 2. When twenty-five persons have subscribed to become members of said company, the first meeting may be called for the purpose of organizing said company under this act; and the officers of said company shall be a president, vice president, secretary, a board of directors of not less than five persons, an actuary, and such other officers as said company may deem necessary, to be elected by a majority of votes cast at any legal meeting for that purpose. And in case of a vacancy in any office, a majority of the officers still remaining may elect some person to fill said vacancy, until the next regular meeting for the choice of officers.

Officers.

Vacancies, how filled.

May hold real and personal estate.

SECT. 3. Said company may hold real estate in fee to an amount not exceeding five thousand dollars for the purpose of securing suitable offices for said company; and said company may invest its surplus funds in notes secured by bonds and mortgage of unincumbered real estate in Maine, worth three times the amount loaned, or in other securities which may be deemed sufficient.

By-laws.

SECT. 4. Said company shall have power to make such by-laws as they may deem proper for the regulation and management of the business of said company. Such by-laws not being repugnant to the laws of the state or to this act.

Original guaranty stock.

SECT. 5. There shall be an original guarantied capital stock of ten thousand dollars, to be divided into shares by the corporation, one-half of which shall be paid in before the said corpo-

ration shall go into operation; the other half of said stock may be called for by the directors, from time to time, when they deem it expedient, and shall be paid in by the holders of the stock, and said stock shall always stand pledged to said corporation for all such assessments so called for.

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When paid in.

Stock  
pledged for  
assessments.

SECT. 6. At the first meeting of the corporation a number of directors, not less than three, shall be chosen by the subscribers to the guarantied stock, who shall hold their office for one year, and until others shall be chosen in their stead, the remaining directors to be chosen by members not holders of said guarantied stock. Said directors shall all either be holders of said guarantied stock, or be assured in said corporation in all subsequent elections for directors. They shall be chosen, three by said holders of said guarantied stock, and the rest not exceeding the same number, by the assured members, voting in separate bodies, and each body having the right to its own choice.

Directors,  
when chosen,  
&c.

SECT. 7. Whenever the net surplus receipts of the corporation, over the losses and expenses, after providing for risks, shall be sufficient for the purposes, the stockholders shall be entitled to an annual dividend of eight per cent. or to such less dividend as may be agreed upon at the time of subscribing for the stock; and in case such dividend shall not be made in any one year, it shall be made good at a subsequent period, when the net resources of the company shall be sufficient for paying the same.

Dividends,  
when made.

SECT. 8. After providing for losses, risks, expenses and dividends as aforesaid, the directors shall set apart one-quarter part of the estimated surplus funds and receipts as a reserved fund, to be applied to the redemption of the guarantied stock. And whenever, after the expiration of ten years from the time of organizing the company, the amount of such reserved fund shall be appropriated for the purpose, and the assured shall vote to redeem said guarantied stock, the same shall be redeemed; after which redemption, all the directors, subsequently chosen, shall be by the assured.

Reserved fund.

Guarantied  
stock, when  
redeemed.Directors,  
by whom  
chosen.

SECT. 9. At the expiration of every three years from the time of the organization of the said company, the remaining three-quarters of the estimated surplus funds and receipts shall be divided among the assured in proportion to the whole amount of premiums paid during the preceding three years.

Surplus funds,  
how disposed  
of.