

# 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,  
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1853.

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Rules and regulations.

thousand dollars; build and erect such buildings and machinery as their convenience may require, and make all necessary rules and regulations for the prosecution of the same, consistent with the laws of this state.

SECT. 3. This act shall take effect and be in force from and after its approval by the governor.

[Approved February 17, 1853.]

### Chapter 16.

An act to incorporate the North Yarmouth Mutual Fire Insurance Company.

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

Corporators.

SECT. 1. William B. Skillin, Benjamin Hamilton, James Sawyer, J. W. Gookin, Isaac S. Dunn, Adams True, Jabez Cushman, James Skillin, J. Staples, their associates, successors and assigns, are hereby created a body corporate by the name of the North Yarmouth Mutual Fire Insurance Company, with power by that name to prosecute and defend suits at law; to have and to use a common seal; to make by-laws and regulations for the management of their affairs not repugnant to the laws of this state; may purchase and hold such personal and real estate as may be necessary to effect the objects of their association, and to enjoy all rights and powers incident to such corporations.

Corporate name.

Seal, by-laws, &amp;c.

May purchase and hold personal and real estate.

Membership.

SECT. 2. Every person who shall at any time become interested in said company by insuring therein, and also their heirs, executors, administrators and assigns, continuing to be insured therein as hereinafter provided, shall be deemed and taken to be members thereof for and during the terms specified in their respective policies and no longer, and shall at all times be bound by the provisions of this act.

Annual meeting, when and where held.

SECT. 3. There shall be a meeting of said company at North Yarmouth, in the county of Cumberland, on the first Monday of March annually, or on such other day as said company may hereafter determine. At which meeting shall be chosen, by a major vote of the members, a board of directors, consisting of not more than five nor less than three members, who shall continue in office until others shall have been chosen and accepted the trust in their stead. All vacancies happening in said board may be filled by the remaining members until the next annual meeting, and a majority of the whole number shall constitute a

Directors, how chosen.

Vacancies, how filled.

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quorum for the transaction of business. Special meetings of the company may be called by order of the directors, or in such manner as the by-laws thereof may prescribe.

Special meeting, how called.

SECT. 4. The board of directors shall superintend the concerns of said company, and shall have the management of the funds and property thereof, and of all matters and things thereunto relating, not otherwise provided for by said company. They shall have power from time to time to appoint secretary, treasurer and such other officers, agents and assistants, as to them may seem necessary, and prescribe their duties, fix their compensation, take such security from them as they deem necessary for the faithful performances of their respective duties, and remove them at pleasure; they shall determine the rates of insurance, the sum to be insured on any building not exceeding three-fourths of its value, and the amount of the note to be deposited for the insurance thereof. They shall order and direct the making and issuing of all policies of insurance, the providing of all books, stationery and other things needful for the office of said company, and for carrying on the affairs thereof; and may draw upon the treasurer for the payment of all losses which may have happened and for expenses incurred in transacting the concerns of said company. They shall elect one of their own number to act as president, and may hold their meetings monthly, or oftener if necessary, and shall keep a record of their proceedings.

Directors, duties and powers of.

Secretary, treasurer, &c.

Rates of insurance, &c.

Policies.

Losses, payment of.

President.

Meetings may be held monthly.

Members, duties of, &c.

SECT. 5. Every person who shall become a member of said company by effecting insurance therein, shall, before he receives his policy, deposit his promissory note for such sum as shall be determined by the directors; a part not exceeding eight per cent. of said note shall be immediately paid for the purpose of discharging the incidental expenses of the institution and endorsed thereon; and the remainder of said deposit note shall be payable in part or the whole, at any time when the directors shall deem the same requisite for the payment of losses or other expenses. And at the expiration of the term of insurance, the said note, or such a part thereof as shall remain unpaid after deducting all losses and expenses occurring during said term, shall be relinquished and given up to the signer thereof.

Deposit note, when payable, &c.

Deposit note, when relinquished.

SECT. 6. Every member of said company shall be and hereby is bound and obliged to pay his proportion of all losses and expenses happening or accruing in and to said company, to the amount of his or her deposit note and no more. And the company shall have a lien against the assured on all buildings

Members, obligations of, &c.

Lien against assured.

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insured by them, during the continuance of his or her policy, to the amount of his or her deposit note and no more.

Assured,  
duties of, in  
case of losses.

SECT. 7. When any member shall sustain any loss, by fire, of the property so insured, the said member shall, within sixty days next after such loss, give notice thereof, in writing, to the directors or some one of them, or to the secretary of said company; and the directors, upon a view of the same, or in such other way as they may deem proper, shall ascertain and determine the amount of said loss; and if the party suffering is not satisfied with the determination of the directors, the said party, within three months next after such determination is made known, may bring an action at law against said corporation in said county of Cumberland; and in case the plaintiff in such action shall not on trial recover as damages more than the amount determined as aforesaid, no cost 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.

Losses, how  
determined  
and settled.

Directors, in  
case of losses,  
duties of, &c.

SECT. 8. The directors shall, after receiving notice of any loss or damage by fire, sustained by any member, ascertain the same, settle and determine the sums to be paid by the several members thereof as their respective proportions of such loss; and publish in such manner as they shall see fit, or as the by-laws shall prescribe. And the sum to be paid by each member shall always be in proportion to the original amount of his deposit note or notes and shall be paid to the treasurer within thirty days next after the publication of said notice; and if any member shall, for the space of thirty days after such notice, neglect or refuse to pay the sum assessed upon him, her or them, as his, her or their proportion of any loss or damage as aforesaid, in such case the directors may sue for and recover the whole amount of his, her or their deposit note or notes with cost of suit, and the sums thus collected shall remain in the treasury of said company, subject to the payment of such losses and expenses as have or may thereafter accrue, and the balance, if any remain, shall be returned to the party from whom it was collected, on demand, after thirty days from the expiration of the term for which insurance was made.

Assessments,  
how appor-  
tioned and  
paid.

Proceedings in  
case of neglect  
to pay assess-  
ments.

Assessments,  
how and when  
disbursed.

Insurance,  
term of, &c.

SECT. 9. The said company may make insurance for any term not exceeding seven years, on dwelling houses, stores, shops, barns and other buildings, household furniture and merchandise in the county of Cumberland, against loss or damage by fire originating in any cause other than by design in the assured. And that

when the property insured shall be alienated by sale or otherwise, the policy shall thereupon be void and be surrendered to the directors of said company to be canceled. And upon such surrender, the assured shall be entitled to receive his, her or their deposit note or notes upon the payment of his, her or their proportion of all losses and expenses that have accrued prior to such surrender.

Alienated property, policy becomes void. Rights of assured on surrendering policy.

SECT. 10. Any two of the persons herein named are authorized to call the first meeting, by posting up advertisements in two or more public places in North Yarmouth, ten days prior to said meeting; and no policy shall be issued by said company, until applications shall be made for insurance on ten thousand dollars at least.

First meeting.

SECT. 11. This act shall take effect and be in force from and after its approval by the governor.

[Approved February 17, 1853.]

**Chapter 17.**

An act authorizing the sale of the First Free Meetinghouse in Wilton.

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

SECT. 1. The proprietors of the First Free Meetinghouse in Wilton, are hereby authorized and empowered to sell the same or any part thereof, and the lot on which it stands, or take down and rebuild the same, or to alter, enlarge and repair the same; *provided*, that a majority of the votes of a meeting of said proprietors, duly and legally called for that purpose, shall be in the affirmative.

Proprietors, authority of, &c.

SECT. 2. And in case of sale, the proprietors shall choose three trustees, who shall receive the amount for which said house shall be sold, and divide the same to the several pews or pew owners, as nearly as may be, in proportion to the first cost or price of each pew, and the decision of said trustees, or a major part of them, shall be final, as to the amount which shall be paid to each pew holder.

In case of sale, proceeds how disposed of.

SECT. 3. If the owners of any pew or pews in said house, themselves or by their heirs, or assigns, do not appear in one year from the time of said sale to claim their share, then the balance in the hands of said trustee shall be divided among

Unclaimed proceeds, how disposed of.