

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FOURTH LEGISLATURE

OF THE

STATE OF MAINE,

1855.

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

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1855.

PRIVATE AND SPECIAL LAWS ·

OF THE

STATE OF MAINE.

1855.

Chapter 488.CHAP. 488.

An act to incorporate the Warren Mutual Fire Insurance Company.

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

- SECT. 1. John Andrews, George W. Lawrence, Isaac G. Allen, James Coburn, Edwin Smith, junior, Milton Heaten, Francis Atkins, Life Copeland, Edward Watts, John W. Smith, Abiel W. Kennedy, David Crane, Thomas C. Perkins, James Teague, W. H. Wetherbee, Charles C. Newcomb, Isaac Robinson, James S. Cobb, P. R. Baker, Oscar Eaton, Charles W. Copeland, Charles Kirk, Benjamin F. Burton, Roger Hanley, J. W. Bogues, Jabez Haskell, Alexander Crawford, Joseph W. Vaughan, Reuben Hall, Albert Johnson, their associates, successors, and assigns, be and they hereby are created a body corporate, by the name of Warren Mutual Fire Insurance Company, with power by that name to prosecute and defend suits at law, to have and use a common seal, to make by-laws and regulations for the management of their affairs not repugnant to the laws of the state, may purchase and hold such real and personal estate, as may be necessary to effect the objects of their association, and to enjoy all rights and powers incident to such corporations.
- SECT. 2. Any person who shall at any time become interested in said company, by insuring therein, and also their respective heirs, executors, administrators and assigns, continuing to be insured therein, as hereafter provided, shall be deemed and taken to be members thereof, for and during the terms specified in their policies, and no longer; and shall, at all times, be concluded and bound by the provisions of this act.
- SECT. 3. There shall be a meeting of said company at Warren, in the county of Lincoln, on the third Wednesday of December, annually, or on such other day as the said company may hereafter determine, at which meeting shall be chosen by a major vote of the members present, a board of directors, consisting of not more than nine nor less than five 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 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 have prescribed.

Corporators.

Corporate name.

Powers and privileges.

By-laws.

May hold real and personal estate.

Membership.

Annual meeting, when and where held.

Directors, how chosen.

Vacancies, how filled.

Special meetings, how called.

CHAP. 488.

Directors, duties and powers of.	SECRET. 4. The board of directors shall superintend the concerns
Secretary, treasurer, &c.	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 a secretary, treasurer and such other officers, agents and assistants, as to them may seem necessary; and
Rates of insurance.	prescribe their duties, and may 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
Policies.	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 books, stationery, and other things needful for the
Losses, payment of, &c.	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
President.	concerns of said company. They shall elect one of their number to
Meetings, may be held monthly, &c.	act as president, and may hold their meetings monthly, and oftener if necessary, and shall keep a record of their proceedings.
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
Deposit note, when payable, &c.	policy, deposit his promissory note for such sum of money as shall be determined by the directors, a part not exceeding eight per cent. of which said note shall be immediately paid for the purpose of
Deposit note, when relinquished.	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
Members, obligations of, &c.	same requisite for the payment of losses or other expenses, and at the expiration of the term of insuring, said note or such part of the same as shall remain unpaid, after deducting all losses, and
Lien against insured.	expenses occurring during said term, shall be relinquished and given up to the signer thereof.
Assured, duties of, in case of losses.	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
Losses, how determined and settled.	deposit note and no more, and the company shall have a lien against the assured on all buildings insured by them, during the continuance of his policy to the amount of his deposit note and no more.
	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 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 if made known, may bring an action at law against said corporation, in the county where said loss or damage happened, 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.

SECT. 8. The directors shall, after receiving notice of any loss or damage by fire, sustained by any member, and ascertaining the same, settle and determine the sums to be paid by the several members thereof, as their respective proportions of such loss, and publish the same in such manner as they shall see fit, or as the by-laws shall have prescribed, 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 as his proportion of any loss or damage as aforesaid, in such case the directors may sue for and recover the whole amount of his deposit note or notes, with cost of suit, and the money thus collected shall remain in the treasury of said company, subject to the payment of such losses or expenses as have or may thereafter occur, and the balance, if any remain, shall be returned to the party from whom it was collected, on demand, after the expiration of thirty days from the end of the term for which insurance was made.

SECT. 9. Said company may make insurance for any term not exceeding seven years, on dwelling houses, stores, shops, and other buildings, household furniture, and merchandise in this state, against loss or damage by fire originating in any cause other than by design in the assured, and 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 cancelled, and upon such surrender, the assured shall be entitled to receive his deposit note or notes upon the payment of his proportion of all losses and expenses, that have accrued prior to such surrender. *Provided, however,* that the grantee or alienee, having the policy assigned, may have the same ratified and confirmed to him for his own proper use or benefit, upon the application to the directors, and with their consent, within thirty days next after such alienation, on giving proper

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

Assessments, how apportioned and paid.

Proceedings in case of neglect to pay assessment. §

Money, how applied.

Insurance, term of, &c.

Alienated property, policy becomes void.

Rights of assured on surrendering policy.

Proviso.

CHAP. 489. security to the satisfaction of said directors for such a portion of the deposit or premium note as shall remain unpaid, and by such ratification and confirmation, the party causing the same shall be entitled to all the privileges, and subject to all the liabilities to which the original party insured was entitled and subjected under this act.

First meeting,
how called.

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 said town of Warren, ten days prior to said meeting. And no policy shall be issued by said company, until application shall be made for insurance, on twenty-five thousand dollars, at least.

[Approved March 12, 1855.]

Chapter 489.

An act to re-unite the towns of Anson and North Anson.

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

Anson and North
Anson re-united.

SECT. 1. The towns of Anson and North Anson, in the county of Somerset, are hereby re-united, and from and after the passage of this act they shall constitute one town by the name of Anson, vested with all the powers and privileges, and subject to all the duties of other towns.

Taxes.

SECT. 2. The several collectors of taxes for the town of Anson and for the town of North Anson, are hereby authorized and empowered to collect and pay all taxes to them already committed, agreeably to their several warrants; and also all taxes which have been legally assessed, and which may be hereafter committed to said collectors.

Debts, how paid.

SECT. 3. All debts due from the towns of Anson and North Anson, at the time this act shall take effect, shall be paid by said towns respectively; and all taxes and debts due to said towns shall belong to said towns respectively; and said towns are authorized to resort to the same processes and proceedings for the recovery of the same, and are to be subject to the same processes and proceedings touching the debts due from said towns respectively, as though this act had not been passed.

School fund, how
held.

SECT. 4. The school fund of the town of Anson shall belong to the town of Anson, as incorporated by this act, by the union of said towns of Anson and North Anson, and shall be held in trust for the benefit of said united towns, in the same way as required by chapter twenty of the revised statutes.