

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1856.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1830, February 26, 1840,  
and March 16, 1842.  
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Augusta:  
FULLER & FULLER, PRINTERS TO THE STATE.  
1856.

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PUBLIC LAWS

OF THE

STATE OF MAINE.

1856.

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SECT. 4. Any person committed under the provisions of the first section of the one hundred seventy-third chapter of the revised statutes, shall be kept in prison, or the insane hospital, at his own expense, if he have sufficient property; otherwise at the expense of the state.

CHAP. 269.

At whose expense supported, when persons found insane by either jury, are committed to prison or the insane hospital.

[Approved April 9, 1856.]

**Chapter 269.**

An act additional to chapter one hundred and twenty-six of the revised statutes.

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

SECT. 1. In all cases where a report of the commissioners mentioned in the act to which this act is additional, has been or hereafter shall be made, evidence shall not be offered to contradict such report, unless misconduct, partiality or unfaithfulness on the part of the commissioners or any of them, shall be shown by competent evidence.

Chap. 125, R. S., amended.

Commissioners' report.

SECT. 2. This act shall take effect on its approval by the governor.

[Approved April 9, 1856.]

**Chapter 270.**

An act in relation to home, and agencies of foreign insurance companies.

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

SECT. 1. The word foreign, whenever it is used in this act, shall be construed to apply to companies not incorporated by the legislature of this state.

Foreign, definition.

SECT. 2. Every person authorized by any foreign fire insurance companies to advertise as its agent, or to receive and forward proposals for insurance, shall be deemed the agent of such company within the meaning of this act.

Persons deemed agents of foreign fire insurance companies.

SECT. 3. Every foreign fire insurance company insuring property by their agent in this state, shall give to their agent instructions in writing, signed and sworn to by the president and secretary thereof, to accept service of all lawful processes against the company; and in such written instructions shall

Instructions in writing by president and secretary, given to agent, in relation to the service of processes in this state.

CHAP. 270.

Duplicate to be filed in office of register of deeds.

consent and engage that service of all processes against such company duly made upon such agent, shall be valid and binding as legal service upon such company, and give to the courts of this state like jurisdiction, and have the same effect as if the company had existed and been duly served with process in this state; and a duplicate of this writing, duly certified and authenticated, shall be filed in the office of the register of deeds in the county where such agent shall reside, and copies thereof certified by said register, shall be evidence in the courts of this state. This agency, so far as relates to service on such corporation, shall be continued while any liability remains outstanding against the company in this state, or until the same power is given to some other person resident within such county, and a duplicate thereof filed as aforesaid. And service upon the agent shall be deemed sufficient service upon the principal.

Contract of insurance valid, without such instructions.

Liability of agent.

SECT. 4. If insurance shall be made hereafter by the agent of any such foreign fire insurance company, without having received the instructions aforesaid, and without the filing of a duplicate of the same as aforesaid, the contract shall be binding and valid, but such agent shall be liable to a fine not exceeding three hundred dollars, to be enforced by indictment in any court of competent jurisdiction, for the use of the state.

Liability of persons falsely representing themselves as agents.

SECT. 5. Any person who without having been authorized, shall represent himself as the authorized agent of any foreign insurance company, or who shall procure payment, and any obligation for the payment of any insurance by false or fraudulent representations, shall be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding six months for each offense, to be enforced by indictment in any court of competent jurisdiction.

Insurance companies required to transmit statement of their condition to secretary of state.

SECT. 6. Every insurance company existing or doing business in this state, shall, on or before the first day of December in each year, transmit to the secretary of this state, to be laid by him before the legislature, a statement of the condition of said company as it existed at the time of its exhibit next preceding, showing the amount of capital stock and how invested, the amount at risk, the amount premium notes, the amount of liabilities, and shall cause the same to be published in some paper printed in the county where the company is located.

SECT. 7. This act shall take effect sixty days from the time of its approval by the governor.