

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1862.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1862.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1862.

Chapter 114.

CHAP. 114.

An act regulating costs, in court in certain cases.

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

SECT. 1. In taxing costs of suit in the supreme judicial court, attendance shall be allowed until the action is disposed of, unless the court shall otherwise direct, but no more than ten days attendance at any one term shall be taxed in any action for either party.

Attendance, no more than ten days allowed to either party.

SECT. 2. This act shall take effect when approved by the governor.

[Approved March 17, 1862.]

Chapter 115.

An act to amend an act entitled "an act in relation to fire and marine insurance companies and actions on contracts of insurance," approved March fifteenth, eighteen hundred and sixty-one.

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

SECT. 1. Section two of an act entitled "an act in relation to fire and marine insurance companies and actions on contracts of insurance," approved March fifteenth, eighteen hundred and sixty-one, is amended so as to read as follows :

Sec. 10, act of March 15, 1861, amended.

SECT. 2. An agent authorized by an insurance company, whose name shall be borne on the policy, shall be deemed the agent of said company in all matters of insurance ; any notice required to be given to said company or any of its officers, by the insured, may be given to such agent ; any application for insurance, or valuation, or description of the property, or of the interest of the insured therein, if drawn by said agent, shall be conclusive upon the company, but not upon the insured, although signed by him ; all acts, proceedings and doings of such agent, with the insured, shall be as binding upon the company, as if done and performed by the person specially empowered or designated therefor by the contract.

Authorized agent, doings of, binding upon company.

SECT. 2. Section three of said act is amended so as to read as follows :

Section 3, amended.

SECT. 3. All statements of description or valuation, in any contract of insurance or application therefor, shall be deemed representations and not warranties. Any misrepresentation of the title or interest of the insured, unless the same is fraudulent or material, shall not prevent his recovering on the policy the amount of his

Statements of description, &c., how deemed.

Policy not invalid, &c.

CHAP. 116. insurable interest; a misrepresentation of title to a parcel of the property insured shall not effect the contract as to other parcels, either real or personal, covered by the policy.

[Approved March 17, 1862.]

Chapter 116.

An act to amend sections forty-three, forty-four and forty-five of chapter six of the revised statutes relating to taxes on lands in places not incorporated.

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

Chap. 6, Sec. 43, R. S., amended, Lands forfeited, may be sold.

SECT. 1. Section forty-three of chapter six of the revised statutes is amended by adding thereto the words following: If the land so forfeited shall not be redeemed as herein provided, the county treasurer may sell it under the direction of the county commissioners.

Chap. 6, Sects. 44 and 45, amended, Lien created.

SECT. 2. Sections forty-four and forty-five of said chapter are amended by adding to section forty-five the words following: but for all taxes legally assessed for opening, making and repairing roads as aforesaid, a lien is hereby created in favor of the purchaser at any sale under authority of section forty-two of said chapter on the lands so sold, and in favor of the county when no purchaser is found, to the amount of the taxes, charges and interest, and also for any subsequent taxes legally assessed thereon and paid by the purchaser, or those claiming under him or by the county; which several sums shall be paid or tendered to the said purchaser or person claiming under him, or to the county in case there was no purchaser as aforesaid, before any other claimant of such land shall be entitled to commence, maintain or defend any suit, in law or in equity, on any ground involving the title thereto under such sale or forfeiture, notwithstanding any irregularity or omission in the proceedings required by law to give validity to such sale or forfeiture.

—in whose favor. Amount of.

—to be paid before any other claimant.

Can commence, maintain or defend any suit.

Acts inconsistent, repealed.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 4. This act shall take effect when approved by the governor.

[Approved March 17, 1862.]