

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

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

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1874.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1874.

CHAP. 226. said attorney, which said salary shall be in full for all official services.

Inconsistent acts repealed.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect when approved.

Approved March 3, 1874.

Chapter 226.

An act to amend sections sixty-three and sixty-four of chapter forty-nine of the revised statutes, relating to foreign insurance companies.

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

Sec. 63, ch. 49, R. S., amendment of.

Sections sixty-three and sixty-four of chapter forty-nine of the revised statutes is hereby amended, by adding after the word "not" in the seventh line of said section sixty-three, the following words: 'in case no agent of such company can be found, such notice or service served on the state insurance commissioner, who shall immediately notify said insurance company by mail, shall be valid and binding on said company as if served on their agent.'

Also by striking out after the word "not" in said seventh line the following words: "for the purpose of receiving notice of any fact or proceeding, or service of any process, the agent shall be regarded as still authorized until another is appointed."

Also by adding after the word "agent" in the eleventh line in said section sixty-three, the following words: 'or the insurance commissioner.'

Sec. 64.

Also by adding after the word "agent" in the fourth line in said section sixty-four, the following words: 'or on the insurance commissioner as provided in said section sixty-three,' so that said sections as amended shall read as follows:

Claims against foreign insurance companies, how prosecuted.

'SECT. 63. Any person having a claim against any foreign insurance company may bring a suit therefor in the courts in this state, including trustee suits, and service made on any authorized agent of said company shall be valid and binding on the company, and hold it to answer to such suit; and the judgment rendered therein shall bind the company as a valid judgment in every respect, whether the defendants appear or not. In case no agent of such company can be found, such notice or service served on the state insurance commissioner, who shall immediately notify said insurance company by mail, shall be valid and binding on the company as though served on their agent. Unless any such judg-

Judgment to be binding.

Notice, how served.

ment is paid within thirty days after demand made upon any such agent or the insurance commissioner by the officer holding the execution, the commissioner may, on notice and hearing of the parties, suspend the power of the company to do business in this state until it is paid; and if the company or any agent thereof issues any policy in this state during such suspension, said company and agent shall each forfeit not exceeding one hundred dollars. But any policy so issued shall be binding on the company in favor of the holder.'

CHAP. 227.

Company suspended from doing business in this state unless judgment be paid in thirty days.

Penalty for issuing policies during suspension.

Policies valid.

'SECT. 64. All notices and processes which by any law, by-law or provision of any policy, any insured or other person has occasion to give or serve on any such company, may be given to or served on its agent, or on the insurance commissioner, as provided in said section sixty-three, with like effect as if given or served on the principal. Such agents and the agents of all domestic companies shall be regarded as in the place of the company in all respects regarding any insurance effected by them. The company shall be bound by their knowledge of the risk and of all matters connected therewith. Omissions and misdescriptions known to the agent shall be regarded as known by the company, and waived by it the same as if noted in the policy.'

Notices and processes, how served.

Company bound by knowledge of risk.

Approved March 3, 1874.

Chapter 227.

An act to define certain duties of county commissioners.

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

The county commissioners in the several counties are hereby directed to make all new and additional volumes of index hereafter necessary in the registries of deeds, after the form known as ledger index, so that the same surnames shall be recorded together in each volume; and they are authorized in each county, if they deem it expedient, to change all volumes of index now in the registries of deeds to said form.

Indexes in the registries of deeds, form of.

Approved March 3, 1874.