

CHAP. 361.

shall give notice thereof in writing, to the directors, or some one of them, or to the secretary of said company, within twenty days from the time, such loss or damage may have happened; 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 or damage; and if the party suffering is not satisfied with the determination of the directors, the question may be submitted to referees, or the said party may bring an action against said company, for loss or damage in Carroll county court, at any time within six months after the loss may have happened, and not afterwards; and if upon trial of said action a greater sum shall be recorded than the amount determined upon by the directors or referees, the party suffering shall have judgment therefor against said company, with interest thereon from the time said loss or damage happening, and costs of suit; but if no more shall be recovered than the amount aforesaid the said party shall have judgment for the amount so recovered, and shall pay all the costs of said suit, as well his own as the costs of said company.

Directors to settle and determine the sums to be paid by members.

SEC. 8. *And be it enacted*, That the directors shall, after receiving notice of any loss or damage by fire sustained by any member, and ascertaining the same, or after the rendition of any judgment as aforesaid, against said company for such loss or damage settle or determine the sums to be paid by the several members thereof, as their respective proportion of said 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 the publication of said notice, neglect or refuse to pay the sum assessed upon him, her, or them, as his, her or their proportion, if any loss 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 costs of suit; and the money thus collected shall remain in the treasury of said company, subject to the payment of such loss and expenses as have, or may thereafter accrue, and the balance if any remain, shall be returned to the party from which it was collected on demand, after thirty days from the expiration of the term for which the insurance was made to said party.

If deposit notes be insufficient to cover loss, &c.

SEC. 9. *And be it enacted*, That if it shall ever so happen that the whole amount of deposit notes should be