

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.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1856.

of any fraud in the management of its affairs, shall be liable to the party injured, for all damages caused thereby, and also to indictment for a misdemeanor, punishable by a fine not exceeding one thousand dollars, or imprisonment in the county jail not exceeding one year, or both, at the discretion of the court.

SECT. 8. The supreme judicial court shall have full jurisdiction in equity of all claims or disputes that may arise between this corporation or any of its members.

S. J. court,
jurisdiction
of, &c.

SECT. 9. The legislature may at any time alter, amend, or repeal this act.

Under control
of legislature.

SECT. 10. This act shall take effect from and after its approval by the governor.

[Approved April 3, 1856.]

Chapter 654.

An act to preserve the harbor of Portland.

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

SECT. 1. The harbor of Portland is bounded north-westerly by a line commencing at the eastern corner of the gas company's wharf, next above the Portland bridge, and extending straight to the southern corner of the end of Robinson's wharf, and along the end of it to the eastern corner; thence straight to the southern corner of the end of Central wharf, and along the end of it to the eastern corner; thence straight to the southern corner of the end of Custom House wharf, and along the end of it to the eastern corner; thence straight to the southern corner of the end of Railway wharf, and along the end of it to the eastern corner; thence to the southern corner of the end of St. Lawrence wharf, and along the end of it to the eastern corner; thence parallel to the straight portion of the outside railroad track, to the shoals to the southward of fish point, as defined on a plan of Portland harbor, made by the United States coast survey, in the year one thousand eight hundred and fifty-three.

The boundaries
of the harbor of
Portland
defined.

SECT. 2. It is bounded southeasterly by a line commencing at the end of the breakwater as it now is, and extending south-westerly to the easterly corner of the end of the Ferry wharf; thence along the end of it to its westerly corner; thence in a straight line to Portland bridge, at a point eight hundred and

Same subject.

CHAP. 654. fifty feet from the point where the northwesterly line of the harbor touches said bridge, and nine hundred and seventy-five feet from the line of high water mark in Cape Elizabeth.

Wharves, &c.,
not to be
extended beyond
said lines.
—or materials
deposited in
said harbor.
—or land
removed.

Abatement of
such erections,
&c.

SECT. 3. No wharf or incumbrance of any kind shall ever hereafter be erected or extended into said harbor beyond either of said lines. No stones or other materials shall be deposited in said harbor. No land within the same covered by water shall be removed without the written permission of the commissioners hereafter named. Every erection, incumbrance or material, erected, placed or deposited in said harbor, within the lines aforesaid, shall be deemed a public nuisance, liable to abatement.

Receiving basins
and reservoirs
of said harbor
defined.

—subject to
control of
commissioners.

Erections, &c.,
therein, without
the written
permission of the
commissioners,
prohibited.

Such permission
to be deposited
and recorded.

SECT. 4. The receiving basons and reservoirs of said harbor shall comprehend the tidal waters of Fore river and Back cove, and those along the shore northeasterly to the easterly side of the mouth of Presumpscot river. They shall be and hereby are subjected to the control and regulation of the commissioners hereafter named. No erection, incumbrance or material shall hereafter be placed or deposited in those waters, which will obstruct the flow and ebb of those waters, or diminish the volume thereof, without the written permission of said commissioners, or of a major part of them, therein describing the extent and character of the erection or deposit so permitted. Such permission by them subscribed shall be left with the clerk of the city of Portland, to be by him recorded before any such erection, obstruction or deposit is made. All erections, obstructions or deposits, made contrary to these provisions, are to be deemed public nuisances and liable to abatement.

Prosecutions and
punishment for
violations of this
act.

SECT. 5. Any person who shall offend against any of the provisions of this act, shall be deemed guilty of a misdemeanor, and liable to prosecution therefor, by indictment in any court of competent jurisdiction; and on conviction, to be punished by a fine not exceeding five hundred dollars; and he may also be sentenced to pay all expenses for an abatement or removal of such erection, obstruction or deposit made by him, and to stand committed until he shall pay the same, or give satisfactory security therefor.

Appointment of
commissioners.

SECT. 6. The governor shall nominate, and with the advice and consent of the council, appoint three persons commissioners of the harbor and tidal waters connected therewith of the city of Portland. One of those first appointed shall continue in office one year; one for two, and the other for three years. At the expiration of each person's term of service, the same or

Term of this
office.

another person shall in like manner be appointed to serve for three years. When a vacancy shall happen by death, resignation or removal from the state, another person shall in like manner be appointed in his place to continue in service to the end of his term.

SECT. 7. The commissioners shall be entitled to receive from the city of Portland a reasonable compensation for all services actually performed.

Compensation of commissioners.

[Approved April 3, 1856.]

Chapter 655.

An act to incorporate the Dirigo Insurance Company.

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

SECT. 1. William W. Thomas, Ezra Carter, junior, Eben Steele, Joseph Howard, A. K. Shurtleff, Samuel Tyler, William Chase, Woodbury S. Dana, John C. Brooks, J. B. Carroll, D. W. Clark, T. C. Hersey and Benjamin Chickering, with such persons as may hereafter be duly associated with them, their successors and assigns, are hereby constituted a body politic and corporate, by the name of the Dirigo Insurance Company; for the purpose of making contracts of indemnity for loss and damage by fire, and by the perils of the sea, and issuing policies of insurance against such loss and damage in all their various forms; and they are hereby empowered by that name to sue and be sued, to plead and be impleaded, in all courts of law and equity; to adopt and use a common seal, and to change the same at pleasure; and to purchase, receive, hold, possess and enjoy, to themselves and their associates and successors, lands, tenements, and hereditaments, goods, chattels, stocks, bonds, choses in action, and real and personal property of any description, necessary in transacting the business of insurance, or for the investment or security of the capital or other assets of the company, and to sell, convey, grant, alien, and dispose of the same.

Corporators.

Corporate name.

Objects of corporation.

Powers, rights and privileges.

May hold real and personal estate.

SECT. 2. The capital stock of the said company shall not be less than one hundred thousand dollars, and may at any time hereafter be increased by the said company to any sum, not exceeding five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and may be invested

Capital stock, \$100,000. —may be increased not exceeding \$500,000. Shares.