

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

## THIRTY-THIRD LEGISLATURE

OF THE

## STATE OF MAINE,

1854.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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1854.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1854.

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## CHAP. 256.

lations as the health and safety of the citizens of the said towns and the security of the public travel may require and as may be prescribed by the authorities aforesaid.

Officers must be citizens of Gardiner.

Proviso.

SECT. 2. The president, clerk, treasurer and a majority of the directors of said company, must be citizens of Gardiner; *provided however*, that if the works be extended into Farmingdale or Pittston, citizens of either of said towns may be eligible to said offices in like manner as the citizens of Gardiner.

SECT. 3. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 23, 1854.]

### Chapter 256.

An act to incorporate the Bangor and Castine Telegraph Company.

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

Corporators.

SECT. 1. James Eddy, Daniel Robinson, Samuel Noyes, Samuel Farrar and Albert W. Paine, their associates and successors, are hereby created a body corporate by the name of the Bangor and Castine Telegraph Company, for the purpose of constructing, maintaining, and operating lines of electric telegraph from the city of Bangor to the towns of Bucksport and Castine, and to any other points lying between the Penobscot bay and the Narraguagus river, with all the rights and privileges, and subject to all the liabilities, provided by the general laws of this state relating to corporations and telegraph companies.

Corporate name.

Location.

Rights, privileges, &c.

Authorized to construct lines upon public highways.

Right to construct limited.

Proviso.

SECT. 2. The said company is authorized to locate and construct its lines aforesaid, along and upon any public highway, or upon any railroad, or private property, for which permission shall first have been obtained of the proprietors thereof, by the erection of the necessary fixtures; but the same shall not be so constructed as to incommode the public use of said roads or highways, or interrupt the navigation of any waters; nor shall the company have authority to construct any bridge across any waters of this state. *Provided, however*, said lines shall be constructed within three years after the passage of this act.

Authorized to connect with other lines.

SECT. 3. The company shall have power, by agreement with other persons, or bodies corporate, to connect their lines of

telegraph with other lines of telegraph constructed within this state.

SECT. 4. The said company shall have authority to cut down any trees, except ornamental or shade trees, which may be within the limits of the highways, and which would otherwise obstruct the erection of their lines or injure the same by falling. And any trees standing upon lands by the side of any road, by which the said lines shall be located, may also be cut down, if necessary for the safety of such lines; and the owners of such lands shall be entitled to compensation therefor, to be ascertained, if the parties do not agree, in the same manner as damages are ascertained for land taken for highways, and the company shall be held to pay the amount so ascertained.

Authorized to remove obstructions.

Owners of land, &c., taken, entitled to compensation.

Compensation, how determined.

SECT. 5. The capital stock of said company shall be of such amount as the company may from time to time determine to be necessary for the exclusive purposes hereby authorized.

Capital stock.

SECT. 6. It shall be the duty of the company, whenever their lines shall be in readiness for operation over any part of the routes herein authorized, to receive dispatches from, and for any other telegraph lines and associations or companies, and from and for any individuals or corporations, and in payment of their usual charges for individuals for transmitting dispatches, as established by the general rules and regulations of the company, to transmit the same subject only to the limitations contained in the following section, with impartiality and good faith, under the penalty of one hundred dollars for every neglect or refusal so to do, which penalty may be recovered by an action of debt in the name and to the use of the person or persons sending or desiring to send any such dispatch.

May receive and forward dispatches, &c.

Penalty for neglect or refusal.  
—how recovered.

SECT. 7. The said company shall be bound, on application of any officer of the United States or of this state, acting in the event of any war, insurrection or resistance of public authority, or in the prevention or for the punishment of crime, or the arrest of persons charged or suspected of crime, to give to communications of such officers immediate dispatch; and if any officer, clerk or operator of said company shall refuse or wittingly omit to transmit any such communication, or shall designedly alter or falsify the same for any purpose whatever, he shall be subject to indictment therefor, and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars, or be imprisoned in the county jail not more than one year. But the company shall receive for transmitting such communications

Certain communications to receive immediate dispatch.

Penalty for neglect or violation.

Compensation for transmitting dispatches.

**CHAP. 257.** the same compensation that shall be paid for transmitting private communications of a similar length.

Provisions of this act not to exonerate company from certain liabilities.

SECT. 8. Nothing in this act contained shall exonerate said company from the liability to which they may be subject at common law for the payment of damages for any breach of contract or duty on their part.

First meeting.

SECT. 9. Any one of the persons named in the first section of this act may call the first meeting of the company, by giving notice thereof to each of his associates; and this act shall take effect from and after its approval by the governor.

[Approved March 23, 1854.]

### Chapter 257.

An act to incorporate the Mousam River Bank.

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

Corporators.

SECT. 1. George A. Frost, Samuel Thompson, Samuel Lord, R. B. Hubbard, Benjamin F. Hodsdon, Austin G. Fitch, William Emery, William L. Emery, George Weld, Amariah Frost, Charles O. Lord, James M. Burbank, F. A. Wood, John Goodwin, Moses Goodwin, junior, Moses Dennett, William Millar, John Powers, William H. Wiggin, Stephen Merrill, Stephen Willard, Walter Gowen, John Shaw, their associates, successors and assigns, be and hereby are incorporated into a company by the name of the President, Directors and Company of the Mousam River Bank.

Corporate name.

Capital stock.

SECT. 2. The capital stock of said bank shall be fifty thousand dollars, divided into shares of fifty dollars each; and said bank shall be located and established in Sanford, in the county of York.

Location.

Rights, privileges, &c.

SECT. 3. The said corporators are hereby authorized and empowered to exercise all the rights and privileges conferred upon such corporations, by the laws of this state, and subject to all the restrictions and liabilities thereof.

SECT. 4. This act shall take effect and be in force from and after its approval by the governor.

[Approved March 23, 1854.]