

# 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,  
Feb. 26, 1840, and March 16, 1842.  
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Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1854.

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**Chapter 258.**

CHAP. 258.

An act to incorporate the Ocean Bank.

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

SECT. 1. Edward E. Bourne, Nathaniel L. Thompson, William Lord, junior, Joseph Titcomb, George P. Titcomb, Joseph Dane, junior, George Lord, Charles Williams, William Lord, George Wise, Ivory Lord, Thomas Lord, Daniel Nason, Benjamin F. Mason, Nicholas E. Smart, John A. Wheeler, Jott S. Perkins, Eliphalet Perkins, William F. Moody, George P. Jefferds, Samuel H. Gould, Robert Town, Charles Perkins, George W. Bourne, and Henry Kingsbury, their associates, successors and assigns, are hereby incorporated into a company, by the name of the President, Directors, and Company of the Ocean Bank.

Corporators.

Corporate name.

SECT. 2. The capital stock of said bank shall be fifty thousand dollars, divided into shares of one hundred dollars each; said bank to be located in Kennebunk, in the county of York.

Capital stock.

Location.

SECT. 3. 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 shall be subject to all the liabilities and restrictions thereof; and this act shall take effect and be in force from and after its approval by the governor.

Rights, powers, privileges, &c.

[Approved March 24, 1854.]

**Chapter 259.**

An act to incorporate the Penobscot Telegraph Company.

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

SECT. 1. Leonard March, G. P. Sewall, James Eddy, George Stetson and Arad Thompson, their associates and successors, are hereby created a body corporate by the name of the Penobscot Telegraph Company, for the purpose of constructing, maintaining and operating lines of electric telegraph from the city of Bangor, through the Penobscot valley and the town of Houlton, to the frontier of New Brunswick, or upon any portion of said route, with branches to any points in the valleys of the Penobscot or Saint John, within this state, with all the rights

Corporators.

Corporate name.

Location.

## CHAP. 259.

Rights, privileges, &amp;c.

and privileges, and subject to all the liabilities provided by the general laws of this state relating to corporations and telegraph companies.

Authorized to construct line along public highways, &amp;c.

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.

Right to construct limited.

Proviso.

May 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 or out of this state.

May remove obstructions.

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.

Owners of land entitled to compensation.

Damages, how ascertained, &amp;c.

Capital stock.

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.

May receive and transmit dispatches, &amp;c.

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 on 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.

Penalty for neglect or violation.

—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 despatch; 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 the same compensation that shall be paid for transmitting private communications of similar length.

CHAP. 260.

Certain communications to receive immediate despatch.

Penalty for neglect or violation.

Compensation for transmitting dispatches.

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.

Company not exonerated from certain liabilities by the provisions of this act.

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.

First meeting.

[Approved March 24, 1854.]

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## Chapter 260.

An act to incorporate the Trustees of the Sailors' Home, in Portland,

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

SECT. 1. Israel Richardson, Nathan Cummings, John M. Wood, Philip Greely, Saint John Smith, John B. Brown, William W. Thomas, Samuel Tyler, Joshua B. Osgood, William Chase, Byron Greenough and Eben Steel, their associates and successors, are hereby constituted a body politic and corporate, by the name of the Trustees of the Sailors' Home in Portland; and by that name shall have power to take and hold real and personal estate, to an amount not exceeding twenty-five thousand dollars, for the purpose of establishing and maintaining, for the improvement and benefit of seamen, a sailors' home in

Corporators.

Corporate name.

Purpose of corporation.