

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1848.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1849.

TWENTY-EIGHTH LEGISLATURE.

No. 6.

HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FORTY-EIGHT.

AN ACT to incorporate the Maine Telegraph Company.

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

SECTION 1. Samuel F. B. Morse, Amos Kendall,
2 H. O. Alden and James Eddy and their associ-
3 ates, who have or may acquire from said Morse the
4 right to use the electro-magnetic telegraph, by him
5 invented and patented, between the city of Portland
6 and the boundary line of the province of New Bruns-
7 wick, along such route or routes as may be selected
8 for the purpose, are hereby made a body corporate
9 and politic with all the rights and privileges and sub-

10 ject to all the liabilities provided by the general laws
11 of this state relating to corporations, under the name
12 of the Maine Telegraph Company.

SEC. 2. Said corporation is authorized to construct
2 lines of said telegraph along and upon any of the
3 public roads and highways, or across any of the
4 waters within the limits of this state, or upon any rail
5 road or private property for which permission shall
6 first have been obtained of the proprietors thereof,
7 by the erection of the necessary fixtures, including
8 posts, piers, or abutments for sustaining the wires or
9 conductors of such line, *provided* the same shall not
10 be so constructed as to incommode the public use of
11 said roads or highways, or injuriously interrupt the
12 navigation of said waters; nor shall this act be so
13 construed as to authorize the construction of any
14 bridge across any waters of this state.

SEC. 3. The said corporation shall have power by
2 agreement with other persons or bodies politic, to
3 connect their lines of telegraph with other lines of
4 telegraph constructed within or out of this state.

SEC. 4. Said corporation shall have power to cut
2 or remove any forest trees, standing within the limits

3 of the highways, which obstruct the erection of their
4 lines or which might injure the lines by falling, ex-
5 cept however such as are used for ornamental or
6 shade trees, and any trees standing upon lands by the
7 side of any road upon which their lines may be located
8 may also be removed if necessary for the safety of
9 such lines, and in case the amount of damages are
10 not agreed upon by the said corporation and the pro-
11 prietors of such trees, the amount shall be decided
12 by the board of county commissioners for the county
13 in which the damages are done, in the same manner
14 as damages are ascertained by the owners of land
15 over which county roads are located.

SEC. 5. The said corporation is empowered to con-
2 struct and use connecting and side lines of telegraph,
3 conjunctively with their main lines, and from point to
4 point as public convenience may render expedient ;
5 and for these purposes exclusively, as also for such
6 main lines, to employ and use so much capital as may
7 be necessary from time to time.

SEC. 6. The said corporation shall be bound on
2 application of any of the officers of the United States,
3 or of this state, acting in the event of any war, insur-

4 rection, or civil commotion or resistance of public
5 authority, or in the prevention or punishment of
6 crime, or the arrest of persons charged or suspected
7 thereof, to give to communications of such officers
8 immediate despatch ; and if any officer, clerk, or op-
9 erator of said corporation shall refuse or wittingly
10 omit to transmit such communications, or shall de-
11 signedly alter or falsify the same for any purpose
12 whatever, he shall be subject to fine and imprisonment
13 in proportion to the aggravation of the offense, upon
14 conviction thereof before any court of competent
15 jurisdiction—*provided, however,* that for transmitting
16 such communications the corporation shall receive
17 the same compensation that is paid for transmitting
18 private communications of similar length, and said
19 corporation and the officers, clerks, and agents thereof
20 shall not be responsible in any case except for willful
21 negligence or intentional fraud in the transmission of
22 communications.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, June 10, 1848.

ORDERED, That 350 copies of the foregoing Bill, reported from the Committee on the Judiciary, be printed for the use of the Legislature.

SAMUEL BELCHER, *Clerk.*