

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE

EXTRA SESSION OF 1853, AND SESSION OF 1854.



Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

THIRTY-THIRD LEGISLATURE.

HOUSE.

No. 7.

STATE OF MAINE.

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

AN ACT to incorporate the Penobscot Telegraph
Company.

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

SECTION 1. Leonard March, G. P. Sewall and
2 James Eddy, their associates and successors, are
3 hereby created a body corporate by the name of the
4 Penobscot Telegraph Company, for the purpose
5 of constructing, maintaining, and operating lines
6 of electric telegraph from the city of Bangor through
7 the Penobscot valley and the town of Houlton,
8 to the frontier of New Brunswick, or upon any
9 portion of said route, with branches to any points
10 in the valleys of the Penobscot or St. John, within

11 this state, with all the rights and privileges and sub-
12 ject to all the liabilities provided by the general laws
13 of this state relating to corporations and telegraph
14 companies.

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

SECT. 3. The company shall have power, by agree-
2 ment with other persons, or bodies corporate, to con-
3 nect their lines of telegraph with other lines of
4 telegraph constructed within or out of this state.

SECT. 4. The said company shall have authority
2 to cut down any trees, except ornamental or shade
3 trees, which may be within the limits of the high-
4 ways, and which would otherwise obstruct the erec-

5 tion of their lines or injure the same by falling. And
6 any trees standing upon lands by the side of any road
7 by which the said lines shall be located, may also be
8 cut down, if necessary for the safety of such lines,
9 and the owners of such lands shall be entitled to com-
10 pensation therefor, to be ascertained, if the parties do
11 not agree, in the same manner as damages are ascer-
12 tained for land taken for highways ; and the company
13 shall be held to pay the amount so ascertained.

SECT. 5. The capital stock of said company shall
2 be of such amount as the company may from time to
3 time determine to be necessary for the exclusive pur-
4 poses hereby authorized.

SECT. 6. It shall be the duty of the company, when-
2 ever their lines shall be in readiness for operation
3 over any part of the routes herein authorized, to
4 receive despatches from, and for any other telegraph
5 lines and associations or companies, and from, and
6 for any individuals or corporations, and on payment
7 of their usual charges for individuals for transmitting
8 despatches, as established by the general rules and
9 regulations of the company, to transmit the same,
10 subject only to the limitations contained in the follow-
11 ing section, with impartiality and good faith, under

12 the penalty of one hundred dollars for every neglect
13 or refusal so to do, which penalty may be recovered
14 by an action of debt, in the name and to the use of the
15 person or persons sending or desiring to send any
16 such despatch.

SECT. 7. The said company shall be bound, on
2 application of any officer of the United States or of
3 this state, acting in the event of any war, insurrection,
4 or resistance of public authority, or in the preven-
5 tion or for the punishment of crime, or the arrest of
6 persons charged or suspected of crime, to give to
6 communications of such officers immediate despatch ;
7 and if any officer, clerk or operator, of said company,
8 shall refuse, or wittingly omit to transmit any such
9 communication, or shall designedly alter or falsify
10 the same for any purpose whatever, he shall be sub-
11 ject to indictment therefor ; and on conviction, shall
12 be sentenced to pay a fine not exceeding five hun-
13 dred dollars, or be imprisoned in the county jail not
14 more than one year. But the company shall receive
15 for transmitting such communications the same com-
16 pensation that shall be paid for transmitting private
17 communications of similar length.

SECT. 8. Nothing in this act contained shall exon-

2 erate said company from the liability to which they
3 may be subject at common law for the payment of
4 damages for any breach of contract on their part.

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

IN SENATE, February 27, 1854.

This Bill, having had two several readings, passed to be
engrossed as amended on sheet annexed, marked A.

Sent down for concurrence,

WILLIAM TRAFTON, *Secretary.*

AMENDMENT.
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A.

Amend section 1st, by striking out the word “and” in the second line [first line printed bill] and insert after the name of James Eddy, “George Stetson and Arad Thompson.”



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 28, 1854. }

This Bill was twice read, and laid upon the table, and 350  
copies ordered to be printed for the use of the Legislature.

JOHN J. PERRY, *Clerk.*