

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

SENATE.

No. 172.

STATE OF MAINE.

**IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND NINETY-FIVE.**

AN ACT to provide for the incorporation and control of
Telegraph Companies and Telephone Companies.

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

SECTION 1. Telegraph companies and telephone com-
panies and companies for the operation of both telegraphs
and telephones, may be organized under the provisions of
sections sixteen, seventeen, eighteen, nineteen and twenty
five of chapter forty-eight of the Revised Statutes of this state
and acts amendatory thereof and additional thereto, and
all the provisions of said sections and acts are hereby
made applicable to such corporations.

SECT. 2. The certificate provided by said section eight-
teen to be prepared and filed in the secretary of state's

3 office, shall set forth, in addition to the statements required
4 by said section, the general route of telegraph or telephone
5 lines proposed to be constructed by such corporation and
6 the points to be connected thereby.

SECT. 3. Corporations organized under the provisions
2 of this act shall have authority, except as herein limited,
3 to construct, maintain and operate its lines upon and along
4 the route or routes and between the points stated in its
5 certificate of incorporation. But no corporation organized
6 hereunder shall have authority without special act of the
7 legislature, to construct its lines along the route or routes,
8 used or authorized to be used, by any other telegraph or
9 telephone company, person or firm, or between points
10 connected, or authorized to be connected, by the lines of
11 any such company, person or firm, unless it shall first
12 obtain the consent of such other company, person or firm.

SECT. 4. Such corporations may, subject to the condi-
2 tions and restrictions provided herein and by the statutes
3 of this state, construct its lines along, over, under and
4 across any of the roads and streets and across or under
5 any of the waters upon and along its route or routes, with
6 all necessary erections and fixtures therefor; provided,
7 however, that the same shall not be so constructed as to
8 incommode the use of such roads and streets for public
{ 9 travel, or interrupt the navigation of such waters; and
10 provided, further, that no such corporation shall injure,
11 cut down or destroy any fruit tree, or any tree or shrub
12 standing and growing for the purposes of shade or ornament;
13 and provided, further, that this act shall not be so construed
14 as to authorize the construction of any bridge across any
15 of the waters of the state.

SECT. 5. Any such corporation, by vote at a meeting
2 of its stockholders called for the purpose, may issue
3 coupon or registered bonds to provide means for con-
4 structing its lines, funding its floating debt, or for the
5 payment of money borrowed for any lawful purpose, and
6 may mortgage or pledge, as security for the payment of
7 the principal and interest of such bonds, a part or all of
8 its property and franchise. Such bonds may be issued in
9 sums not less than one hundred dollars each, payable at
10 periods not exceeding twenty years from the date thereof,
11 and bearing interest not exceeding six per cent a year,
12 payable annually or semi-annually, to an amount which,
13 including that of bonds previously issued, shall not exceed
14 in all the capital stock of the corporation actually paid in
15 at the time.

SECT. 6. Any such corporation shall be authorized to
2 connect its line or lines with those of any other like cor-
3 poration, and to sell or lease its lines and property, in
4 whole or in part to any other like corporation, and to pur-
5 chase or lease the line, or lines, and property, in whole or
6 in part, of any like corporation, upon such terms as may
7 be agreed upon by the contracting parties.

SECT. 7. Such corporations may purchase, or take and
2 hold as for public uses, land necessary for the construc-
3 tion and operation of its lines. Land may be so taken
4 and damages therefor may be estimated, secured, deter-
5 mined and paid as in case of railroads. But no corpora-
6 tion organized hereunder shall, without special act of the
7 legislature, take, use or appropriate except as herein pro-
8 vided, the lines, land, location or other property of any
9 other corporation, person or firm doing or authorized to

10 do a like business, except by consent of such other com-
11 pany, person or firm.

SECT. 8. Section eleven of chapter three hundred and
2 seventy-eight of the Public Laws of eighteen hundred and
3 eighty-five as amended by section one of chapter eight of
4 the Public Laws of eighteen hundred and ninety-one, is
5 hereby repealed, and all other provisions of said chapter
6 three hundred and seventy-eight not inconsistent herewith,
7 are hereby made applicable to corporations organized under
8 this act.

SECT 9. This act shall take effect when approved.

STATE OF MAINE.

IN SENATE, February 28, 1895.

Reported by Mr. HIGGINS from Committee on the Judiciary, and laid
on table to be printed under joint rules.

KENDALL M. DUNBAR, *Secretary.*