

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1848.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1848.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE,

1848.

Chapter 169.

An act to incorporate the Eastern Telegraph Company.

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

Corporators.

SECT. 1. Samuel F. B. Morse, Amos Kendall, their associates, who have constructed a line of Morse's Electro-Magnetic Telegraph from the western line of this state to Portland, and their successors, are hereby created a body politic and corporate,

Corporate name.

under the name of the Eastern Telegraph Company, with all the rights and privileges, and subject to all the liabilities provided by the general laws of this state relating to corporations.

Location and construction.

SECT. 2. The said corporation is authorized to maintain its line aforesaid, between the said termini, along and upon any public highway or across any water or upon any rail road, or private property for which permission shall first have been obtained of the proprietors thereof, by the erection and continuance of the necessary fixtures, including posts, piers or abutments for sustaining the wires or conductors of such line; but the same shall not be so constructed or maintained as to prevent the proper use of such roads or highways, or injuriously interrupt the navigation of said waters, nor shall the company have authority to construct or continue any bridge across any waters of this state.

Power to connect with other lines.

SECT. 3. The company shall have power, by agreement with other persons, associations, or bodies politic, to connect their line of telegraph with other lines of telegraph constructed within or out of this state.

Capital stock.

SECT. 4. The capital stock of such company shall be of such amount as the company may from time to time determine to be necessary for the exclusive purpose of erecting, maintaining and operating the line of telegraph hereby authorized, and the company shall be holden to make all such returns of the stockholders therein, as are required by the laws of this state of other corporations.

Returns,

Transmission of despatches.

SECT. 5. It shall be the duty of said company, whenever their line shall be in readiness for operation, to receive despatches from and for any other telegraph lines and associations or companies, and from and for any individual, and on payment of the usual charges for individuals for transmitting despatches, 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

Penalty for neglect, &c.

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 despatch.

CHAP. 170.

SECT. 6. The 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 to be imprisoned in the county jail, not more than one year. But the company shall be entitled to receive for transmitting such communications the same compensation that shall be paid for transmitting private communications of similar length.

Despatches in the event of war, &c.

Liability for neglect, or designedly altering the same.

SECT. 7. Nothing in this act contained shall exonerate said company from their liabilities at common law, for the payment of damages for any breach of contract on their part.

Damages for breach of contract.

SECT. 8. 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 August 10, 1848.]

Chapter 170.

An act additional to "an act to incorporate the proprietors of Wiscasset Bridge."

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

The town of Newcastle shall construct and maintain a good and sufficient draw, in the bridge across Marsh river, so called, in said town, for the convenience of all vessels that may have occasion to pass through the same. Said draw shall not be less than twenty-six feet wide and of sufficient height for gondolas to pass under it at high water; and said town shall furnish good and sufficient posts or piers for hauling vessels through said draw, and shall cause said draw to be hoisted or

Town of Newcastle to construct a bridge across Marsh river.

width.