

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1864.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1864.

CHAP. 368.

City of Bangor,
right to take
one half of
stock, &c.

—terms.

Rate of shares
to be reduced.

First meeting,
how called.

SECT. 7. The city of Bangor shall have the right to purchase or take one half of the stock, property and rights of said company at any time within ten years hereafter, paying the actual cost thereof, and ten per centum in addition to the actual cost; and the shares of said company shall thereafter be at the rate of fifty dollars per share instead of one hundred dollars per share.

SECT. 8. The first meeting for the organization of this company to be called by any three persons named in this act, by publishing notice of the same in the daily papers in the city of Bangor, thirty days, stating the time, place and object of the meeting.

SECT. 9. This act takes effect on its approval by the governor.

Approved March 17, 1864.

Chapter 368.

An act to incorporate the Franklin Telegraph Company.

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

Corporators.

Corporate
name.

Route of line.

Rights,
privileges, &c.

Location and
construction.

—not to incom-
mode public
use of highway,
&c.

May connect
with other
lines.

Authorized to
cut down trees
in highway, &c.

SECT. 1. D. V. B. Ormsby, Francis G. Butler, Samuel Belcher and Reuben Cutler, their associates and successors, are hereby created a body corporate, by the name of the Franklin Telegraph Company, for the purpose of constructing, maintaining and operating lines of electric telegraph from some point in the town of Farmington to Leeds junction in the town of Leeds, or from said some point in the town of Farmington to some point in the town of Skowhegan, with all the rights and privileges, and subject to all the liabilities provided by the general laws of the state, relating to corporations and telegraph companies.

SECT. 2. The said company is authorized to locate and construct its lines of telegraph aforesaid along and upon any public highways or railroad, or private property, or across any land, by the erection of any fixtures; but the same shall not be so constructed as to incommode the public use of said highways, and with the consent of said railroad company; *provided however*, said lines shall be constructed within three years after the passage of this act.

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 at either Leeds junction or at Skowhegan, or with any other company whose lines may hereafter cross theirs.

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 manner prescribed in the fifth section of this act, and said company shall be held to pay the amount so ascertained and awarded.

—damages, how ascertained and determined.

SECT. 5. Any person claiming damages of said company for locating and constructing their lines across or upon the lands of such person, may at any time within six months after such construction, file an application with the mayor of any city or selectmen of any town where such lands lay, stating therein the description of the land and railroad, and the amount claimed, and requesting said mayor, or selectmen, to award reasonable damages in the premises. The mayor or selectmen shall forthwith notify the parties for a hearing upon the application, and shall award such damages against said corporation thereon as they deem just and equitable; the amount awarded as aforesaid shall be paid to the owner of the land used within thirty days after notice of the amount awarded is given to any officer of said corporation, and if not paid or tendered to the owner aforesaid within that time, the right of said corporation to maintain their telegraph line on or across said premises shall be suspended until payment is made or tendered. Any person aggrieved by the estimate of damages, or by the neglect or refusal of such tribunal to estimate and determine the same within a reasonable time after application has been made therefor, on petition to the county commissioners of the county in which said land lays, may have them assessed and determined in the manner provided respecting highways.

—for locating line across land, &c.

—how determined.

Notice to parties.

Award, when to be paid.

—if not paid, line to be suspended.

Persons aggrieved, damages how determined.

SECT. 6. The capital stock of said company shall be of such amount as said company shall from time to time determine to be necessary for the exclusive purposes hereby authorized.

Capital stock.

SECT. 7. 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, how called.