

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

OF THE

## SIXTY-SEVENTH LEGISLATURE

OF THE

## STATE OF MAINE

1895.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1895.

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## CHAP. 103

chise. Such bonds may be issued in sums not less than one hundred dollars each, payable at periods not exceeding twenty years from the date thereof, and bearing interest not exceeding six per cent a year, payable annually or semi-annually, to an amount which, including that of bonds previously issued, shall not exceed in all the capital stock of the corporation actually paid in at the time.

Liability for damages.

SECT. 10. Every corporation incorporated under the provisions of this act shall be liable in all cases, to repay any city or town all sums of money that said city or town may be obliged to pay on any judgment recovered against it for damages occasioned by any obstruction, digging up or displacement of any way or street by said corporation, together with counsel fees and expenses necessarily incurred in defending said town in actions therefor; provided, however, that said corporation shall have notice of the commencement of any and all suits for such damage, and such corporation shall have the right to defend any such action at its own expense.

SECT. 11. This act shall take effect when approved.

Approved March 15, 1895.

### Chapter 103.

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 :*

Telegraph and telephone companies, may be organized, under ch. 43, R. S.

SECT. 1. Telegraph companies and telephone companies and companies for the operation of both telegraphs and telephones, may be organized under the provisions of sections sixteen, seventeen, eighteen, nineteen and twenty 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.

Certificate shall set forth route.

SECT. 2. The certificate provided by said section eighteen to be prepared and filed in the secretary of state's office, shall set forth, in addition to the statements required by said section, the general route of telegraph or telephone lines pro-

posed to be constructed by such corporation and the points to be connected thereby.

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

Shall not construct its lines along routes of lines already established, without act of legislature.

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

May construct lines along any highway.

—shall not incommode public travel.

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

May issue bonds and mortgage property.

## CHAP. 103

May connect  
with other  
lines.

SECT. 6. Any such corporation shall be authorized to connect its line or lines with those of any other like corporation, and to sell or lease its lines and property, in whole or in part, to any other like corporation, and to purchase or lease the line, or lines, and property, in whole or in part, of any like corporation, upon such terms as may be agreed upon by the contracting parties.

May take land  
as for public  
uses.

SECT. 7. Such corporations may purchase, or take and hold as for public uses, land necessary for the construction and operation of its lines. Land may be so taken and damages therefor may be estimated, secured, determined and paid as in case of railroads. But no corporation organized hereunder shall, without special act of the legislature, take, use or appropriate except as herein provided, the lines, land, location or other property of any other corporation, person or firm doing or authorized to do a like business, except by consent of such other company, person or firm.

—damages,  
how  
estimated.

—shall not  
take lines or  
land of other  
corporations,  
without act of  
the legisla-  
ture.

Sec. 11, ch. 378,  
Public Laws  
of 1885, and all  
inconsistent  
acts, repealed.

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

SECT. 9. This act shall take effect when approved.

Approved March 18, 1895.