

TELEGRAPH COMPANIES.

An act entitled an act to exempt soldiers and sailors, who served in the war of one thousand eight hundred and twelve, from poll tax.

P. L. 1875, p. 65.

Approved April 8, 1875.

Soldiers of war of 1812, exempt from poll tax.

152. SEC. 1. That the soldiers of the war of one thousand eight hundred and twelve, shall be and they are hereby exempt from paying poll tax.

A supplement to the act entitled "An act concerning mortgages," (revision), approved March twenty-seventh, eighteen hundred and seventy-four.(1)

P. L. 1876, p. 159.

Approved April 17, 1876.

Owners of lands in certain counties may agree not to apply for any deduction by reason of such mortgage.

153. SEC. 1. That hereafter it shall be lawful for the owners of lands situated in the counties of Hudson, Essex, Union, Bergen and Passaic, and in the cities of Trenton, New Brunswick and Camden, to agree for themselves and their heirs and assigns with the holder of any mortgage now in existence or hereafter to be made, which binds or may bind lands in said counties or cities, not to apply for any deduction, by reason of any mortgage, from the taxable value of such lands embraced in such mortgage.

In case deduction is claimed in violation of agreement, mortgage to become immediately due.

154. SEC. 2. That in case any mortgagor or owner of lands, or the heirs or assigns of any mortgagor or owner of land situate in said counties and cities mentioned in section one, who shall have agreed not to claim any deduction from the taxable value of lands described in any mortgage, shall claim a deduction therefrom in violation of such agreement, that then and in that case said mortgage in said agreement described shall become immediately due and payable, and the amount of tax paid by the mortgagee shall be added to the principal of the debt secured thereby and recoverable therewith with interest thereon from the time of payment.

An act relating to assessors.

Approved March 9, 1877.

P. L. 1877, p. 227.

Penalty for not delivering to successor in office property, books, &c.

155. SEC. 1. That if any assessor in any city, town or township in this state shall not immediately, after the expiration of his term of office, or after he shall have vacated or been removed from office, deliver over to his successor in office all the property, books and papers belonging to such city, town or township, or appertaining to such office or its duties, including his field book or books used during his term of office, and all memoranda concerning property, real or personal, in said city, town or township in this state, or the valuations thereof used by him during his term of office, every such assessor shall be deemed guilty of a misdemeanor, and on being thereof convicted shall be punished by fine not exceeding one thousand dollars or imprisonment at hard labor for any term not exceeding one year, or both, at the discretion of the court.

(1) This act though a supplement to the act concerning mortgages, clearly should be classified under TAXES.

Telegraph Companies.

1. How incorporated.
2. When building may be commenced.
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8. Poles may be put on highways.
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13. Penalty for revealing dispatches.
14. Operators, &c., exempt from militia and jury duty.

P. L. 1853, p. 304.

" 1855, p. 544.

" 1866, p. 814.

An act to incorporate and regulate telegraph companies.

Revision—Approved April 9, 1875.

Telegraph companies, how incorporated.

P. L. 1853, p. 304.

Amended.

1. Whenever any number of persons, consisting of two or more, shall have subscribed one-third of the capital stock necessary to be issued for the construction of any line of telegraph in this state, they shall upon depositing with the secretary of state a written or printed description of the line they propose building and constructing, the localities it is

intended to traverse, the capital of the company and its title or corporate name, and complying with the provisions of this act, thereby become a body politic and corporate, to sue and be sued, to purchase, hold or convey any personal or real estate as may be necessary for the purposes of this act, with all the powers, and subject to all the provisions of the act concerning corporations; *provided, however*, the real estate owned at any one point shall not exceed one-fourth of an acre.

2. Whenever one-third or more of the capital stock necessary to build any proposed line shall have been fully subscribed, the parties making such subscription shall have the power and authority of letting the contract for building the line, to such person or persons as they may select, or choose, or proceed to build it themselves, and are also fully empowered, as commissioners, to receive subscriptions to the capital stock, and give receipts for instalments paid on the same.

When building
may be com-
menced.
Ib. § 2.

3. Whenever the original subscribers to one-third of the amount of the capital stock shall call a meeting of the stockholders generally, by giving ten days' notice, by publication in at least three newspapers published in the state, the stockholders, when convened in accordance with said notice, shall proceed to elect officers of their said company, consisting of a president, treasurer, secretary, and at least three directors, one-third of whom shall be citizens of this state, whose term of office shall continue one year, or until their successors are elected, the respective duties and powers of each of the said officers to be indicated and determined by the by-laws and regulations of the company; *provided*, that such by-laws and regulations do not conflict with this act, and are not repugnant to the constitution or laws of this state or of the United States; and that at every election of officers, and at every special, periodical or general meeting of the stockholders, each and every share of stock represented will entitle its representative to one vote; *provided, however*, no one person shall be allowed to vote more than one-third of the votes present at any such meeting.

Election of
officers.
Ib. § 3.

4. No line of telegraph or company, organized and working under this act, shall be privileged to charge more than twenty-five cents for any message not exceeding ten words in length, and for messages exceeding ten words in length, twenty-five cents for the first ten words, and ten cents for every ten words over the first ten, and at that rate for less than ten to any point in this state; *provided, however*, the said messages are intended to be transmitted over but one company's line.

Charges.
Ib. § 4.
Amended.

5. Such companies shall pay one-half of one per centum upon the amount of their capital stock into the state treasury, from the organization thereof respectively.

Tax.

6. Any line of telegraph or company, organized and working by virtue of this act, shall establish, maintain, and keep open at least one office every forty miles traversed by their line; and whenever any two or more persons shall, by a proper observance of the conditions of this act, thereby become a body corporate, they shall have the privilege of building and maintaining a line as described, for the full term of twenty years; *provided, however*, that within three years from the date of description filed with the secretary of state, they shall have built and completed the same.

Offices to be es-
tablished and
maintained.

P. L. 1853, p. 304,
§ 5.

7. If any person or persons shall wilfully and unlawfully injure, destroy or obstruct the use of any telegraph line constructed by virtue of this act, such person or persons so offending shall, for the first offence, pay to the said company the sum of one hundred dollars, to be recovered as debts of like amount are by law recoverable, and be liable for all damages, and shall for the second offence, on conviction thereof, be liable to imprisonment in the county jail not to exceed one year.

Willful injury to
telegraph lines
punishable.
Ib. § 6.

8. Any telegraph company organized by virtue of this act shall have full power to use the public roads or highways in this state, on the line of their route, for the purpose of erecting posts or poles on the same, to sustain the wires and other fixtures, upon first obtaining consent in writing of the owner of the soil; *provided, however*, no post or poles shall be erected in any street of any incorporated city or town without first obtaining from the incorporated city or town a designation of the streets in which the same shall be placed and the manner of placing the same,

Poles may be put
on highways.
Ib. § 7.
Amended.

and that the same shall be so located as in no way to interfere with the safety or convenience of persons traveling on or over the said roads and highways; and that the use of the public streets in any of the incorporated cities and towns of this state shall be subject to such regulations and restrictions as may be imposed by the corporate authorities of said cities or towns.

Stockholders not responsible beyond subscriptions.
Ib. § 8.

9. No subscribers to the capital stock of any company organized by virtue of this act shall in any event be responsible for any amount beyond their subscriptions.

Act not to apply to certain corporations.

10. The foregoing sections of this act shall not apply to any corporations existing, or any line or lines in operation on the fifth day of March, one thousand eight hundred and fifty-three.

Companies may consolidate.

11. Any telegraph company chartered under the provisions of any act of this state, may connect and consolidate with any other incorporated telegraph company, whether chartered by or existing under a law of this state, or of any other state; and may upon such consolidation, by resolution of its board of directors, change its name, which change of name shall take effect on filing a copy of such resolution, certified under its corporate seal, in the office of the secretary of state of this state; *provided*, that neither such connection, consolidation or change of name shall affect the obligations or debts of said company, or the process for their enforcement or lien upon its property.

P. L. 1866, p. 814.

Dispatches must be kept secret.

12. It shall not be lawful for any person connected with any line of telegraph within this state, whether as superintendent, operator, or in any other capacity whatsoever, to use or cause to be used, or make known or cause to be made known, the contents of any dispatch, of whatsoever nature, which may be sent or received over any line of telegraph in this state, without the consent or direction of either the party sending or receiving the same; and all dispatches which may be filed at any office in this state, for transmission to any point, shall be so transmitted without being made public, or their purport in any manner divulged at any intermediate point, on any pretence whatever; and in all respects the same inviolable secrecy, safe keeping and conveyance shall be maintained by the officers and agents employed on the several telegraph lines in this state, in relation to all dispatches which may be sent or received, as is now enjoined by the laws of the United States, in reference to the ordinary mail service; *provided*, that nothing in this act contained shall be so construed as to prevent the publication, at any point, of any dispatch of a public nature which may be sent by any person or persons with a view to general publicity.

P. L. 1855, p. 544.
§ 1.

Penalty for revealing dispatches.
Ib. § 2.

13. In case any person, superintendent, operator, or who may in any other capacity be connected with any telegraph line in this state, shall use or cause to be used, or make known or cause to be made known, the contents of any dispatch sent from or received at any office in this state, or in anywise unlawfully expose another's business or secrets, such person, being duly convicted thereof, shall, for every such offence, be subject to a fine of not less than one hundred dollars, or imprisonment not exceeding six months, or both, according to the circumstances of aggravation of the offence.

An act in relation to operators and others in the employment of telegraph companies in this state.

P. L. 1862, p. 69.

Approved February 27, 1862.

Operators, &c., exempt from militia and jury duty.

14. SEC. 1. That the operators and assistant operators, superintendents, managers, line men and those directly engaged in the business of receiving and forwarding messages by telegraph, shall be exempt from militia duties and serving on juries, and from any fine or penalty for neglect thereof.