

PHILIP F. THOMAS, ESQUIRE, GOVERNOR. 1847.

SEC. 6. *Be it further enacted*, That at every election CHAP. 28. each share shall entitle its holder to one vote, except that Manner of voting regulated. no stockholder shall be entitled to give more than one-sixth of the entire vote to which the stockholders are entitled, and absent stockholders may vote by agents or proxies producing written authority; in case of a tie the election shall be decided by lot.

SEC. 7. *Be it further enacted*, That the American Corporate powers, &c. Telegraph Company hereby incorporated, shall have power to sue and be sued, complain and defend in any court of law or equity having competent jurisdiction, to make and use a common seal, and the same to alter at pleasure, to purchase and hold such real and personal estate as the lawful purposes of the corporation may require, and the same to sell and convey when no longer so required, to appoint such officers and agents as may be necessary to manage the business of the corporation, and to allow them a suitable compensation, and to make bye-laws, not inconsistent with any existing law, for the management of its property, the regulation of its affairs, and the transfer of its stock.

SEC. 8. *Be it further enacted*, That the corporation May make contracts. hereby created shall have power, by contracts with other persons or bodies politic, to connect their lines of telegraph with lines out of the State.

SEC. 9. *Be it further enacted*, That the American Fixtures not deemed a nuisance. Telegraph Company shall have power to set up their fixtures along and across any of the roads, streets or waters of this State without being deemed a public nuisance, or subjected to be abated by any private person, the said fixtures to be so placed as not to interfere with the common use of such roads, streets or waters, or with the convenience of any land-owner more than is unavoidable, but the said corporation shall be responsible for any damages which any person or corporation may sustain by the erection, continuance and use of such fixtures, and in any action brought for the recovery thereof by the owner or possessor of any lands, the damages to be awarded may at the election of such corporation include the damage of allowing the said fixtures permanently to continue, on payment of which damages the right of the corporation to continue such fixtures shall be confirmed as if granted by the parties to the suit; *provided*, that no person or body politic shall be entitled to sue for or recover damages as aforesaid until the said corporation after due notice shall have failed or refused to remove in reasonable time the fixtures complained of; and every person who shall destroy

*Proviso.*