

CHAPTER 215.

AN ACT to authorize the erection, maintenance and protection of telephone poles and wires upon and over the streets, avenues and alleys of the city, village and town of Duluth.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the Duluth telephone company have, and the said company is hereby granted, the exclusive right to erect, use and maintain upon and over the streets, avenues and alleys of city, village and town of Duluth telephone wire and poles, for the period of ten years. *Provided*, that said company shall furnish the use of its instruments and the benefits of its telephone exchange as cheaply as the same uses and benefits are furnished in other places.

SEC. 2. Said company is hereby authorized to erect poles and stretch wires upon and over all of the public streets, avenues and alleys of said city, village and town of Duluth, in the way and manner that telegraph poles are usually erected, and wires placed thereon for the purpose of transmitting messages by telephone, and the establishment of a telephone exchange. *Provided*, that all expenses of erecting, maintaining and operating the same, and all damages that may result or occur to any individual or to the property of any individual by reason of the construction, erection and maintaining of the said telephone poles and wires, shall be borne by the said Duluth telephone company. *Provided further*, that the placing of all telephone poles and stretching wires upon the same, so far as the same may affect the public streets, avenues and alleys of said city, village and town of Duluth, or the rights of the public in said streets, avenues and alleys, shall be subject to the direction and control of the common council of said city, village and town.

SEC. 3. Any person or persons who shall knowingly or willfully injure, cut or break down or destroy any telephone pole erected as provided in section two (2) of this act, and any person or persons who shall willfully cut, break or injure any wire, instrument or appurtenance used by said company in the transmission of messages, and any person or persons who shall counsel or advise the injury or destruction of any of said poles, wires or instruments shall be deemed guilty of a misdemeanor, and shall be punished for every such offence by a fine not exceeding one hundred dollars (\$100) or by imprisonment in the county jail not exceeding the term of three (3) months, or both fine and imprisonment at the discretion of the court.

SEC. 4. This act is a public act and need not be pleaded nor proven in any court in this State.

SEC. 5. This act shall take effect from and after its passage.

Approved March 7, 1881.