

or to any point or points within this state or upon the boundaries thereof, may be formed as hereinbefore provided.

Power to purchase, &c.

128. Such corporation may, with the consent of a majority of its stockholders, given in general meeting, become the purchaser, assignee or lessee of any property within this state, of any telegraph company or companies now existing, or which may hereafter be incorporated, or may be doing business within this state.

Power to construct telegraphic lines.

129. It may construct a line or lines of telegraph through this state, or from or to any point or points within this state or upon the boundaries thereof, and along and upon any postal roads and postal routes, roads, streets and highways, or across any of the bridges or waters within the limits of this state, by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the cords or wires of such lines, without their being deemed a public nuisance or subject to be abated by any private party; *provided*, the same shall not be constructed as to incommode injuriously the public use of said postal roads or postal routes, roads, highways and bridges, or injuriously interrupt the navigation of said waters, or as to interfere with the convenience of any land owner more than is unavoidable, and that this section shall not be so construed as to authorize the construction of any bridge across any of the navigable waters of this state; but

Proviso.

Postal roads, &c.

Responsibility.

Damages.

Proviso.

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 damages 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