

maintaining and repairing, the said intended Telegraph; And to construct, erect, make and do all other matters and things which they shall think convenient and necessary for the making, effecting, extending, preserving, improving, completing, and easy using of the said intended Telegraph and other works, in pursuance of and according to the true intent and meaning of this Act, and whensoever and wheresoever the said Telegraph shall pass through any wood, the trees and underwood may be cut down for the space of fifty feet on each side of the said Telegraph upon which such trees and underwood may be—they, the said Company, doing as little damage as may be, in the execution of the several powers to them hereby granted, and making satisfaction, wherever required so to do, to the owners or proprietors of or the persons interested in the lands, tenements, or hereditaments, water, water-courses, brooks or rivers, respectively, which shall be taken, used, removed or prejudiced, or woods in which trees or underwood shall be cut down, or for all damages to be by them sustained in or by the execution of all or any of the powers of this Act; Provided always that the said Company shall not cut down or mutilate any tree planted or left standing for shade or ornament or any fruit tree, unless it be necessary so to do for the erection, use, or safety of any of its lines.

Compensation  
for damages  
done.

Proviso: as to  
shade trees.

21. The said Company shall have full power and authority to set up posts for supporting the wires of the said Telegraph and upon any public road, street or highway, and to make the necessary excavations in the same for placing such posts or poles, or for carrying the said wires under the surface thereof; or of any navigable or other water, and such posts, and wires and other apparatus therewith connected shall be the property of the said Company, as shall also all such posts or poles or apparatus as shall be set up or carried under the surface of land or water by the said Company for the purposes aforesaid, although the lands or waters, on which the same are set up or carried under the surface be not the property of the said Company.

Powers to set  
up posts on  
roads, &c.

22. It shall be the duty of the Company (subject to the provision in the next following section) to transmit all despatches in the order in which they are received, under a penalty of not less than twenty nor exceeding one hundred dollars, to be recovered with costs of suit by the person or persons whose despatch is postponed out of its order; and the said Company shall have full power to charge for the transmission of such despatches, and to receive, collect and recover such rates of payment as shall be from time to time fixed by By-laws made by the Directors.

Company  
bound to  
transmit des-  
patches in  
regular order.

23. Provided that any message in relation to the administration of Justice, the arrest of criminals, the discovery or prevention of crime, and Government Messages or despatches shall always be transmitted in preference to any other message or despatch, if required by any person connected with the administration of Justice or any person thereunto authorized by the Secretary of State of Canada.

Proviso as to  
Government-  
Messages, &c.

24. Any operator of the said Telegraph Line, or person employed by the Telegraph Company, divulging the contents of a private despatch, shall be deemed guilty of a misdemeanor, and on conviction shall be liable to a fine not exceeding one hundred dollars, or to imprisonment not exceeding three months, or both, in the discretion of the Court before which the conviction shall be had.

Penalty on  
Operators  
divulging con-  
tents of  
despatches.