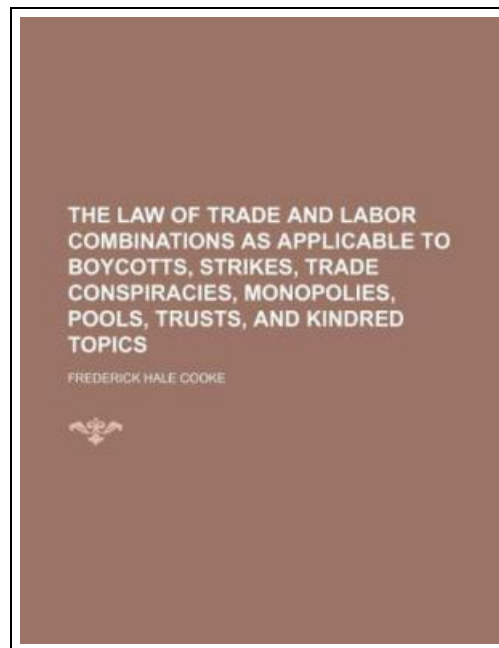


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Rarebooksclub.com, United States, 2012. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1898 Excerpt: .exclusive right of establishing lines of telegraphic communication along its right of way. Such grants were held void as monopolies in. Western Union Tel. Co. v. American Union Tel. Co., 65 Ga. 160 (1880); Western Union Tel. Co. v. Burlington a W. Ry. Co., 11 Fed. Rep. 1 (Cir. Ct Iowa, 1882); Baltimore Ohio Tel. Co. v. Western Union Tel. Co., 24 Fed. Rep. 319 (Cir. Ct La., 1884). Compare Western Union Tel. Co. v. Baltimore Ohio Tel. Co., 23 Fed. Rep. 12 (Cir. Ct Ind., 1885). See, however, Western Union Tel. Co. v. Atlantic Pacific Tel. Co., 7 Bissell 867 (1877). But, assuming the railroad corporation to otherwise have the power to make such a grant, the objection that it creates a monopoly would seem to be equally applicable to, for instance, a lease of its road that otherwise it has power to make. The real question in these cases was whether the grant was within the corporate powers, and indeed it would seem that the decisions (or at least that in 11 Fed. Rep.) might have rested solely on the ground that the grants were in conflict with the act of Congress of July 24, 1866. See also, as to the prohibition contained in such act, Pensacola Tel. Co. v. Western Union Tel. Co., 96 U. S. 1 (1877); Western Union Tel. Co. v. American Union Tel. Co., 9 Bissell, 72 (1879); Western Union Tel. Co. v. Baltimore Ohio Tel. Co., 19 Fed. Rep. 660...



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