

hundred and four. If then accepted, so much thereof as relates to elections hereunder shall apply to the annual municipal election which shall be held on the Tuesday next after the second Monday of December in the year nineteen hundred and four, and this act shall take full effect on the first Monday of January next ensuing.

SECTION 59. So much of this act as authorizes its submission to the legal voters of the city shall take effect upon its passage, but it shall not take further effect unless accepted as herein prescribed.

When to take effect.

*Approved May 15, 1903.*

AN ACT TO INCORPORATE THE HUNTINGTON AND WESTFIELD RIVER RAILWAY COMPANY.

*Chap. 346*

*Be it enacted, etc., as follows:*

SECTION 1. William A. Whittlesey, Alexander Kennedy, Milton B. Warner, Leonard F. Hardy, Charles K. Brewster, Dwight I. Stanton, Darwin E. Lyman, Charles H. Ball, John B. Laidley, Edward W. Blakeslee, Alvan Barrus and Harry S. Packard, their associates and successors, are hereby made a corporation for the conveyance of passengers and property, by the name of the Huntington and Westfield River Railway Company; with all the powers and privileges and subject to all the liabilities set forth in all general laws now or hereafter in force relating to street railway companies, and with such other powers and privileges as are herein granted, and except as otherwise provided herein.

Huntington and Westfield River Railway Company incorporated.

SECTION 2. Said company may locate, construct, maintain and operate its railway with a single or double track, in the manner provided by law, upon highways and state highways, and in part upon private land, in the towns of Huntington, Chester, Chesterfield, Worthington, Cummington, Windsor, Savoy, Plainfield, Goshen, Ashfield and Conway.

May construct, etc., its railway in certain towns.

SECTION 3. Said company may operate its railway by electricity, or by any other motive power which shall be approved by the board of railroad commissioners, and in connection therewith may generate, manufacture, use and transmit electricity, may erect and maintain poles, trolley, feed and other wires, and other convenient devices and appliances for conducting electricity in, over and under any ways or bridges in any city or town

Motive power, etc.

wherein it may be authorized by the board of aldermen or selectmen, or other board exercising the authority of aldermen or selectmen, to construct and operate its railway, and upon and over any private land, with the consent of the owners thereof, and may sell electricity to or purchase electricity from any other street railway or electric light company.

May acquire certain real estate, etc.

SECTION 4. Said company may acquire, by purchase or lease, and may hold, all real estate and water powers necessary or convenient for operating its power stations by water power and for other uses incident to the proper maintenance and operation of its railway, and for the purpose of furnishing electricity as provided in the preceding sections: *provided, however*, that if, within one year from the first day of June in the year nineteen hundred and three, the city of Springfield is granted the right to take the water of the east branch of the Westfield river for water supply, then this act shall not authorize said company to acquire any water rights in or upon, or to construct a dam, power plant or other structure, with a view to the use of the water upon or divert any water from said east branch of the Westfield river at any point below the elevation of four hundred and fifty-two feet above mean sea level.

Proviso.

Capital stock.

SECTION 5. The capital stock of said company shall not exceed five hundred thousand dollars, but may be increased from time to time, subject to the provisions of the general laws relative thereto.

May issue mortgage bonds, etc.

SECTION 6. Said company, in order to meet the expenses incurred under this act, may, subject to the approval of the board of railroad commissioners as required by law, issue from time to time by vote of a majority in interest of its stockholders, coupon or registered bonds, and may secure the same by a mortgage or mortgages of the whole or parts of the franchise, railway and other property of the company.

Certain towns may hold shares of stock or bonds.

SECTION 7. Any town in which any part of said railway shall be located by the selectmen thereof, in accordance with law, may subscribe for, take and hold shares of stock or bonds of said company to the amount and in the manner prescribed by general laws in relation to railroads and railroad corporations; and for the purpose of this section said company shall be deemed to be a railroad corporation.

SECTION 8. The authority herein granted shall cease if ten miles of the proposed railway have not been built and put in operation at the end of three years from the passage of this act, and it shall cease as to all towns mentioned in section two in which the proposed railway has not been built and put in operation at the end of five years from the passage of this act.

Authority to cease unless certain provisions are complied with.

SECTION 9. This act shall take effect upon its passage.

*Approved May 15, 1903.*

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH TO TAKE FOR THE WIDENING OF WEBSTER STREET IN THE TOWN OF ROCKLAND SO MUCH OF THE WEBSTER STREET CEMETERY AS MAY BE NECESSARY FOR THAT PURPOSE.

*Chap. 347*

*Be it enacted, etc., as follows:*

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized to take, in the manner in which land may be taken for the laying out or widening of highways, so much of the land of the Webster Street cemetery in the town of Rockland as may be reasonably necessary for the widening of the highway known as Webster street in said town.

Land of Webster Street cemetery in Rockland may be taken for highway purposes.

SECTION 2. The said commissioners may remove the remains of the dead and the monuments erected to their memory from that part of said cemetery which may be taken under authority of this act for the widening of Webster street, to some other part of said cemetery. The commissioners shall fix a time for the removal of said remains and monuments and shall publish notice thereof once each week for three successive weeks in some newspaper published in said town of Rockland, the last publication to be at least seven days before the time fixed for such removal.

Removal of remains of dead, etc.

SECTION 3. Upon a request in writing by any relative or friend of a person whose remains are to be removed, said remains shall be interred, and the monument in memory thereof shall be erected, in any other cemetery which may be selected by such relative or friend, he or she first paying the cost of the removal and interment of the remains and of the removal and erection of the monument.

Removal of remains, etc., to other cemeteries.

SECTION 4. This act shall take effect upon its passage.

*Approved May 15, 1903.*