

SENATE No. 226.

Commonwealth of Massachusetts.

IN SENATE, May 4, 1870.

The Committee on Railways, to whom was committed the petition of A. M. Bigelow and others, for a charter for a railroad from Grafton to Millbury, have considered the same, and report the accompanying Bill.

Per order,

F. A. HOBART, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy.

AN ACT

To incorporate the Grafton and Millbury Railroad Company.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :—

1 SECT. 1. W. D. Wheeler, Rufus E. Warren and
2 J. H. Wood, their associates and successors, are here-
3 by made a corporation by the name of the Grafton
4 and Millbury Railroad Company; with all the powers
5 and privileges, and subject to all the duties, restric-
6 tions and liabilities set forth in the general laws which
7 now are or hereafter may be in force relating to rail-
8 road corporations.

1 SECT. 2. Said corporation is hereby authorized to
2 locate, construct, maintain and operate a railroad, with
3 one or more tracks, from some convenient point on the
4 railroad of the Boston and Albany Railroad Company

5 in the town of Grafton, and thence running through,
6 or as nearly through the village in the centre of said
7 town as may be, to some convenient point at or near
8 the station of the Millbury Branch Railroad in Arm-
9 ory Village, so called, in said Millbury; and said cor-
10 poration may enter with its railroad upon, unite the
11 same with and use the railroad of the Boston and Al-
12 bany Railroad Company, and said last mentioned rail-
13 road company may enter with its railroad upon, unite
14 the same with and use the railroad of said corpora-
15 tion, subject to the provisions of the general laws.

1 SECT. 3. The capital stock of said corporation shall
2 not exceed the sum of two hundred and fifty thousand
3 dollars nor be less than one hundred and fifty thou-
4 sand dollars, and shall be divided into shares of one
5 hundred dollars each, the number of which shall be
6 determined from time to time by its directors.

1 SECT. 4. Said corporation is hereby authorized to
2 construct its road in two sections, the location of
3 which shall be determined by said corporation and
4 shall be duly filed; and said corporation may com-
5 mence the construction of either of said sections
6 whenever shares of the capital stock shall have been
7 subscribed to the amount and at the rate of twenty-
8 five thousand dollars per mile of such section, and
9 twenty per cent. of the par value of each and every of
10 such shares has been actually paid into its treasury,
11 and a certificate thereof subscribed and sworn to by
12 the president and a majority of the directors shall
13 have been filed in the office of the secretary of the
14 Commonwealth.

1 SECT. 5. The towns of Grafton and Millbury may
2 severally subscribe for and hold shares of the capital
3 stock or the securities of said corporation to an
4 amount not exceeding five per centum of the
5 valuation of said towns respectively, for the year in
6 which the subscription shall be made: *provided*, that
7 two-thirds of the legal voters of said towns respec-
8 tively, present and voting by ballot, and using the
9 check-list, at a legal meeting duly called for the pur-
10 pose, shall vote to subscribe for such shares or secu-
11 rities; and *provided, also*, that the total amount of
12 all subscriptions of said towns respectively, which
13 have been or may be made to the stock or securities
14 of any railroad corporation or corporations under au-
15 thority of this or any previous act, shall not exceed
16 five per centum of the assessed valuation of said
17 towns respectively. Said towns may pay for such
18 shares or securities so voted to be paid out of their
19 respective treasuries, and may raise by loan upon
20 bonds or tax, or otherwise, any and all sums of
21 money which may be necessary to pay for the same,
22 and may hold and dispose of the same like other
23 town property; and the selectmen of said towns
24 respectively, or any agent specially chosen for that
25 purpose, shall have authority to represent said towns
26 respectively, at any and all meetings of said corpora-
27 tion, and may vote on the whole amount of the stock
28 so held, anything in chapter sixty-three of the General
29 Statutes notwithstanding.

1 SECT. 6. Said corporation is hereby authorized to
2 sell or lease its railroad, franchise and other property
3 to the Boston and Albany Railroad Company, and

4 said last named company is hereby authorized to pur-
5 chase or hire the same.

1 SECT. 7. This act shall take effect upon its pas-
2 sage, and shall be void unless said railroad shall be
3 located within two years, and constructed within three
4 years from the passage hereof.

