

## SENATE . . . . . No. 183.

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[Mr. HOBART proposes the following Bill as a substitute for that offered by  
Mr. PLUMER, of Essex, (Senate 167.)]

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### Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Sixty-  
Nine.

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### AN ACT

To incorporate the Salisbury 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. Thomas J. Clark, George Currier and  
2 George Turner, their associates and successors, are  
3 hereby made a corporation by the name of the  
4 Salisbury Railroad Company; with all the powers  
5 and privileges, and subject to all the duties, restric-  
6 tions and liabilities of all the general laws, which  
7 now are, or hereafter may be in force, in reference  
8 to such corporations.

1    SECT. 2. The capital stock of said company shall  
2 not exceed one hundred thousand dollars, divided  
3 into shares of one hundred dollars each, the number  
4 to be determined from time to time by the directors  
5 of said company; and said company may purchase  
6 and hold such real estate, engines, cars, and other  
7 property, as may be necessary for the purposes of  
8 said road.

1    SECT. 3. Said company is hereby authorized and  
2 empowered to locate, construct and maintain a rail-  
3 road for the transportation of persons and merchan-  
4 dise from a point at the terminus of the Exeter  
5 Railroad Company, on the boundary line between  
6 the states of New Hampshire and Massachusetts, to  
7 some convenient point in the town of Salisbury.

1    SECT. 4. Said corporation may also enter with  
2 their railroad, by proper turn-outs and switches,  
3 upon the railroad known as the Salisbury branch  
4 of the Eastern Railroad Company, and to use the  
5 same, or any part thereof, according to the provisions  
6 of law.

1    SECT. 5. The said company is hereby authorized  
2 to unite with the railroad of the Exeter Railway  
3 Company of New Hampshire, at the terminus of  
4 said road upon the state line. And when the two  
5 companies shall have so united, the stockholders of  
6 the one company shall become the stockholders of the  
7 other company, and the two companies shall consti-  
8 tute one corporation by the name of the Exeter and  
9 Salisbury Railway Company; and the franchise,

10 property and power acquired under the authority  
11 of said states, respectively, shall be held and enjoyed  
12 by all the stockholders, in proportion to the number  
13 of shares, or amount of property, held by them,  
14 respectively, in either or both of said corporations.

1 SECT. 6. One or more of the directors or other  
2 officers, of said united corporations, shall, at all  
3 times, be an inhabitant of this Commonwealth, on  
4 whom process against said company may be legally  
5 served; and said company shall be held to answer in  
6 the jurisdiction where the service is made and the  
7 process returnable.

1 SECT. 7. Said company shall keep separate ac-  
2 counts of their expenditures in Massachusetts and  
3 New Hampshire, respectively; and two commission-  
4 ers shall be appointed by the governor of this state,  
5 to hold their offices for the term of three years, and  
6 to be reasonably compensated by said company, who  
7 shall decide what portion of all expenditures of said  
8 company, and of its receipts and profits, properly per-  
9 tain to that part of the road lying in the two states,  
10 respectively; and the annual report required to be  
11 made to the legislature of this Commonwealth shall  
12 be approved by said commissioners.

1 SECT. 8. Said company and the stockholders  
2 therein, so far as their road is situated in Massachu-  
3 setts, shall be subject to all the duties and liabilities  
4 created by the provisions of the laws of this Com-  
5 monwealth, to the same extent as they would have  
6 been if the union of said companies had not taken  
7 place.

1   SECT. 9. The provisions contained in the four  
2 preceding sections, and all the provisions of this act  
3 which contemplate a union of said companies, shall  
4 not take effect until similar provisions shall have been  
5 authorized and adopted by the authorities of the  
6 state of New Hampshire, nor until said provisions  
7 shall have been accepted by the stockholders of said  
8 two corporations, respectively, at legal meetings called  
9 for that purpose.

1   SECT. 10. If the location of this road shall not be  
2 filed within two years, and if said railroad be not  
3 constructed within three years, from the passage of  
4 this act, then this act shall be void.

1   SECT. 11. This act shall take effect from and after  
2 its passage.