

HOUSE No. 17.

[Bill accompanying the petition of Henry H. Crapo and others for legislation to incorporate them as the New Bedford and Onset Street Railway Company. Street Railways.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

To incorporate the New Bedford and Onset Street Railway 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 SECTION 1. Henry H. Crapo, Thomas B. Tripp, Clar-
2 ence A. Cook, W. P. Winsor, Frank W. Brightman,
3 Edward S. Brown, Charles H. Lawton, E. E. Potter,
4 Elton S. Wilde, I. W. Phelps, Joseph K. Nye, Charles
5 S. Mendell, C. W. Ripley, William E. C. Ware and
6 Edwin G. Parsons, being the persons heretofore associated
7 together by articles in writing with the intention of form-
8 ing a corporation under the name of the New Bedford and
9 Onset Street Railway Company, to construct and operate
10 a street railway, their associates, successors and assigns,

11 are hereby made a corporation under said name with all
12 the rights, powers and privileges, and subject to all the
13 duties, obligations and restrictions set forth in all general
14 laws now or hereafter in force relating to street railway
15 companies, except as hereinafter provided.

1 SECTION 2. All rights, privileges and locations here-
2 tofore granted to said incorporators, or any of them, as
3 such associates, under the general laws of the Common-
4 wealth by the selectmen of Mattapoissett, Marion and
5 Wareham, respectively, and subject to all the terms, con-
6 ditions, obligations and restrictions in said locations im-
7 posed, are hereby ratified and confirmed to the company
8 hereby incorporated, which shall have the same right to
9 hold and enjoy the same as if originally granted to it by
10 said selectmen, and said company may construct, equip,
11 maintain and operate a railway with single or double
12 tracks, and with convenient turnouts and switches upon
13 such locations in accordance with the terms of the grants
14 thereof, and upon and over such streets or highways in
15 said towns as have as aforesaid and as shall be from time
16 to time hereinafter designated, and subject to such condi-
17 tions, obligations and restrictions as have been or shall
18 be imposed in the grant of locations to said company by
19 the selectmen of said towns within their respective limits ;
20 and may construct and operate so much of its railway as
21 may be convenient upon private land or rights of way
22 with the consent of the owners thereof, and may for that
23 purpose acquire, by purchase or lease, and operate its
24 railway upon, locations and land outside of the limits of
25 public streets, ways and bridges.

1 SECTION 3. Said company may use in the operation
2 of its railway any approved system of motive power
3 other than steam, and may, with the consent of the re-

4 spective selectmen of said towns make such underground
5 and surface alterations of the streets and highways, and
6 may erect such poles and wires therein, and may erect
7 and maintain such poles and wires on private land, with
8 the consent of the owners thereof, or land leased or pur-
9 chased by said company, as may be necessary or con-
10 venient to establish, maintain and transmit said motive
11 power.

1 SECTION 4. Said company may build and maintain
2 bridges over the Wee Weeantic river between the towns
3 of Marion and Wareham, at any location on said river
4 above and within three hundred feet of the present
5 highway bridge between said towns and over the Ware-
6 ham river at the Narrows, so called, above and within
7 fifty feet of the present highway bridge between the
8 westerly shore of said river and the westerly line of the
9 location of the New York, New Haven and Hartford
10 Railroad Company, and also over a portion of the river
11 below the present highway bridge, and westerly of and
12 adjacent to the location of said New York, New Haven
13 and Hartford Railroad Company.

1 SECTION 5. Said company may carry the United
2 States mails and act as a common carrier of baggage, ex-
3 press matter and small parcels of merchandise, to such
4 extent as its directors may from time to time determine,
5 and may, for the purposes aforesaid, contract with indi-
6 viduals or companies to conduct an express business upon
7 its cars over its railway and that of any company over
8 which it may have trackage rights: *provided, however,*
9 that said company shall not act as such common carrier
10 in any city or town until authorized so to do by the
11 boards of aldermen and selectmen thereof; and, *provided,*
12 *further,* that said company shall in the carrying of such

13 parcels of merchandise be subject to the provisions of
14 chapter seventy-three of the Public Statutes and to all laws
15 relating to common carriers, and shall also be subject to
16 such by-laws, ordinances and regulations in any city or
17 town not inconsistent with said chapter and laws, as may
18 from time to time be made by such city or town.

1 SECTION 6. Said company may purchase, hold and
2 enjoy the rights, properties, franchises and locations of
3 the East Wareham, Onset Bay and Point Independence
4 Street Railway Company, and said last named company
5 may sell and convey the same to said New Bedford and
6 Onset Street Railway Company upon such terms as shall
7 be agreed to by a majority of the directors and two-
8 thirds in interest of the stockholders of each of said
9 companies and as shall be approved by the board of rail-
10 road commissioners in the manner provided by law; and
11 said company may exchange shares of its stock for those
12 of East Wareham, Onset Bay and Point Independence
13 Street Railway Company on terms agreed to and ap-
14 proved as aforesaid, or may pay the purchase price of
15 said rights, properties, franchises and locations from its
16 capital stock.

1 SECTION 7. The capital stock of said company shall
2 not exceed the sum of two hundred thousand dollars,
3 but may be increased from time to time under the pro-
4 visions of the general laws applicable to street railway
5 companies.

1 SECTION 8. This act shall take effect upon its passage.