

HOUSE No. 1209.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 4, 1901.

The committee on Street Railways, to whom was referred the petition (with accompanying bill, House, No. 969) of Charles R. Bartlett and others for legislation to incorporate the Rutland Street Railway Company, report the accompanying bill.

For the Committee,

SAML. ROADS, JR.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

To incorporate the Rutland 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. Charles R. Bartlett, Louis M.
2 Hanff, William E. Chamberlain, George F.
3 Hardy, Miles Holden, and Walter J. Marcley,
4 their associates and successors, are hereby made
5 a corporation under the name of the Rockland
6 Street Railway Company, with all the powers and
7 privileges and subject to all the duties, conditions
8 and restrictions set forth in all general laws that
9 now are or hereafter may be in force relating to
10 street railway companies.

1 SECTION 2. Said company may locate, con-
2 struct, maintain and operate its railway, with a
3 single or double track, in such manner as may be

4 convenient, in part upon private land acquired by
5 purchase or lease, and upon streets, highways or
6 state roads in the town of Rutland subject to the
7 approval and control of the board of selectmen
8 of said town as provided by general laws, and
9 subject also to the approval of the Massachusetts
10 highway commission as to any part of said rail-
11 way located upon a state highway.

12 The location of said railway outside the public
13 streets and highways shall not exceed fifty feet in
14 width, with convenient turn-outs and switches.

1 SECTION 3. Said company may maintain and
2 operate its railway by any motive power other
3 than steam, may erect and maintain poles and
4 wires on private land purchased or leased for the
5 purposes of said railway, and, with the consent of
6 the board of selectmen of said town may erect
7 within said town such poles and wires in
8 in the streets and highways as may be necessary
9 to establish and maintain such motive power.
10 The company may acquire by purchase or lease
11 all necessary real estate and water power for its
12 power stations and other purposes incidental to
13 the proper maintenance and operation of its rail-
14 way.

1 SECTION 4. The capital stock of the company
2 shall not exceed sixty thousand dollars: *provided*,
3 that the company may increase its capital stock
4 subject to the provisions of the general laws rela-
5 tive to such increase.

1 SECTION 5. Said company, in order to meet
2 expenses incurred under this act or by its au-
3 thority, may issue bonds payable within periods
4 not exceeding twenty years from the dates
5 thereof, secured by mortgage of its franchise and
6 property, in such amount as the board of railroad
7 commissioners may approve, and subject to the
8 general laws relative thereto; and in such mort-
9 gage may reserve to its directors the right to sell
10 or otherwise in due course of business to dispose
11 of property included therein which may become
12 unsuitable for use, provided an equivalent in value
13 is substituted therefor.

1 SECTION 6. Said company is hereby author-
2 ized to use its tracks for the transportation of
3 passengers and their baggage, to be a common
4 carrier of farm produce and small parcels of mer-
5 chandise, and to carry mails upon any street or
6 highway, or any private land upon which it may
7 be authorized to construct its tracks as aforesaid:
8 *provided, however,* that said company shall not so
9 act in any city or town until authorized so to do
10 by the aldermen of said city or the selectmen of
11 said town; and *provided, further,* that said com-
12 pany shall in carrying baggage, farm produce and
13 small parcels be subject to such by-laws and
14 regulations as may from time to time be made
15 by such city or town and shall also be subject to
16 the provisions of chapter seventy-three of the
17 Public Statutes and of all other laws relating to
18 common carriers.

1 SECTION 7. The authority hereby granted
2 shall cease if four miles of the proposed rail-
3 way are not constructed and put in operation
4 prior to the first day of December in the year
5 nineteen hundred and two; and if said railway is
6 not constructed and in operation in said town
7 herein named within five years from the granting
8 of locations by the proper authorities.

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

