

HOUSE . . . . . No. 1245.

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Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, April 11, 1901.

The committee on Street Railways, to whom was referred the petition (with accompanying bill, House, No. 301) of Elisha M. Whitney and others for legislation to incorporate the Winchendon Street Railway Company, report the accompanying bill.

For the Committee,

CHARLES A. CARD.

## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and One.

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### AN ACT

To incorporate the Winchendon 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. Joseph N. White, Zadoc L. White,  
2 Elisha M. Whitney, Charles L. Beals, Murdock  
3 M. Clark, Morton E. Converse, John H. Fair-  
4 banks and Wilder P. Clark, their associates and  
5 successors, are hereby made a corporation under  
6 the name of the Winchendon Street Railway  
7 Company, with all the powers and privileges and  
8 subject to all the duties, conditions and restric-  
9 tions set forth in all general laws that now are or  
10 hereafter may be in force relating to street rail-  
11 way companies.

1 SECTION 2. 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 lands purchased or leased for the  
5 purposes of said railway, and, with the consent  
6 of the board of selectmen of the town, may erect

7 such poles and wires and make such excavations  
8 in the streets and highways as may be necessary  
9 to establish and maintain such motive power. It  
10 may acquire by purchase or lease all real estate  
11 and water power required for its power station,  
12 tracks, poles, wires, car houses and other purposes  
13 incident to the proper maintenance and operation  
14 of its railway.

1 SECTION 3. The capital stock of said 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 thereto.

1 SECTION 4. Said company in order to meet  
2 expenses incurred under this act may issue bonds  
3 not exceeding the amount of its capital stock,  
4 payable within periods not exceeding thirty years  
5 from the dates thereof, secured by mortgage of  
6 its franchises and property, subject to the general  
7 laws relative thereto; and in any such mortgage  
8 the company may reserve to its directors the  
9 right to sell or otherwise in due course of busi-  
10 ness to dispose of property included therein  
11 which may become unsuitable for use, provided  
12 an equivalent in value is substituted therefor.

1 SECTION 5. Said company is hereby author-  
2 ized to use its tracks for the transportation of  
3 passengers and their baggage, and to be a com-  
4 mon carrier of small parcels of goods and mer-  
5 chandise, and to carry mails upon any street or

6 highway, or over any private land upon which it  
7 may be authorized to construct its tracks, and is  
8 hereby authorized to act as a common carrier of  
9 freight upon and over its tracks in that part of  
10 Winchendon westerly of the N. D. White & Sons  
11 mills, Winchendon Springs, so called, and easterly  
12 of the line of the Millers river, near the E. M.  
13 Young place on the South Royalston road: *pro-*  
14 *vided, however,* that said company shall in the  
15 carrying of baggage, parcels of merchandise and  
16 freight be subject to such by-laws and regulations  
17 as may from time to time be made by said town;  
18 and shall also be subject to the provisions of chap-  
19 ter seventy-three of the Public Statutes and to all  
20 laws relating to common carriers.

1 SECTION 6. No stock or bonds shall be issued  
2 under this act until the terms of such issue have  
3 been submitted to the board of railroad commis-  
4 sioners and approved by them under the general  
5 laws relative to the issue of stock and bonds  
6 by street railway companies; and if they approve  
7 such issue a certificate setting forth such ap-  
8 proval shall be executed by said board and filed  
9 by said company in the office of the secretary of  
10 the Commonwealth.

1 SECTION 7. The authority herein granted shall  
2 cease unless the proposed road has been built and  
3 put in operation at the end of three years from  
4 the passage of this act.

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