

SENATE No. 112.

Commonwealth of Massachusetts.

IN SENATE, March 22, 1877.

The Committee on Railroads, to whom was referred the petition of Henry W. Nelson, chairman of the town railroad committee of Marshfield, appointed by said town to represent its interests in the Duxbury and Cohasset Railroad, in which corporation the town is represented to own 750 shares of stock, for which it paid the sum of \$75,000; which town, feeling aggrieved with the management of said road, as shown by said petition, prays for an investigation of the affairs of said Duxbury and Cohasset Railroad Company, and for such protection, with other stockholders and towns, as may in right and justice be given by legislative authority,—

REPORT :

That the case of the Duxbury and Cohasset Railroad, from its commencement, has presented different features from almost all other roads, from the fact that its stock has been owned wholly by the towns of Scituate, Marshfield, Duxbury and Plymouth and other railroad corporations. Under these circumstances, it has not seemed surprising to your Committee that great differences of opinion have arisen in the minds of individuals of said towns regarding its management, prospective interest and final disposition. In the case of this road, the conflict has been constant and severe for the past two years. The questions involved are vital to both parties,

and enter largely into principles of equity between corporations and the policy to be established by the Commonwealth to govern its action in cases where large corporations seek to control or absorb the weaker one, and where there may be wrong done or suffered by either side, involving the proper interference of the State. The Committee think that, considering the short time left under the rules to investigate and report upon such matters, and the great principles of practical importance involved in town subscriptions, and their management of railroads, as connected with their own interests and the interests of the people of the Commonwealth at large, with the possibility of another tribunal properly authorized, with time to investigate all the facts, may harmonize and settle all matters in dispute between the parties as a disinterested medium, and to their mutual satisfaction, recommend the reference of the whole subject of said petition for adjustment, if possible, to the railroad commissioners, with the power and to the intent above named. Therefore, they recommend the adoption of the accompanying Resolve, and ask to be discharged from further consideration of the subject.

For the Committee,

STEPHEN M. ALLEN.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Seven.

RESOLVE

Concerning the Duxbury and Cohasset Railroad Company.

Resolved, That the petition of Henry W. Nelson, for the railroad committee of the town of Marshfield, for an investigation and relief under the present management of the Duxbury and Cohasset Railroad be referred to the board of railroad commissioner's, with instructions to investigate the case and report the result to the parties interested, and also to the next General Court, stating what, if any, further legislative action in their judgment may be necessary in the premises.

