

# HOUSE . . . . . No. 31.

---

[Bill accompanying the petition of the Boston and Maine Railroad,  
Railroads.]

---

## Commonwealth of Massachusetts.

---

In the Year One Thousand Eight Hundred and Ninety-eight.

---

### AN ACT

To authorize the Boston and Maine Railroad to purchase and hold the shares of the Capital Stock of any Railroad Corporation whose road is leased to or operated by it, or of which it owns a majority of the Capital Stock.

*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. The Boston and Maine Railroad may,  
2 subject to the approval of the board of railroad commis-  
3 sioners, purchase and hold the shares of the capital stock,  
4 or any part thereof, of any railroad corporation whose  
5 road is leased to or operated by it, or of which it owns  
6 a majority of the capital stock.

1 SECT. 2. For the purpose of providing the means  
2 necessary for a purchase of shares, which has been  
3 approved as aforesaid, the Boston and Maine Railroad

4 may sell and issue its own shares, subject to the provi-  
5 sions of all general laws relating to the issue and disposal  
6 of new shares of stock of railroad corporations. In  
7 case the Boston and Maine Railroad acting under  
8 authority of this section shall have issued its own capital  
9 stock to provide the means of paying for shares of the  
10 capital stock of any other corporation, it shall hold the  
11 certificates representing the shares of such purchased  
12 capital stock in its treasury. Each certificate so held  
13 shall be stamped under the direction of the board of  
14 railroad commissioners "non-transferable," and the same  
15 shall not thereafter for any reason or under any circum-  
16 stances ever be allowed to pass out of the treasury of the  
17 Boston and Maine Railroad; shall, upon the written  
18 order of said board be produced and exhibited to them  
19 at any time, and the franchise tax assessable against a  
20 lessor corporation shall be computed upon the valuation  
21 of its shares not purchased, held and stamped here-  
22 under.

23 Any member of the board of directors, or any treas-  
24 urer or other officer or agent of the Boston and Maine  
25 Railroad, or any person in control or in possession of  
26 such certificates thus stamped "non-transferable," who  
27 knowingly violates any of the provisions of this section  
28 shall be punished by fine not exceeding one thousand  
29 dollars, or by imprisonment not exceeding one year, or  
30 by both such fine and imprisonment.

1 SECT. 3. No modification or cancellation hereafter  
2 made of any lease of any railroad to the Boston and  
3 Maine Railroad shall be valid or binding until the terms  
4 thereof shall have been first approved, at meetings called  
5 for the purpose, by the holders of a majority of the  
6 stock of the lessor corporation, exclusive of the stock  
7 acquired by the Boston and Maine Railroad under

8 authority of this act, and also by the holders of a  
9 majority of the stock of the lessee corporation.

1   SECT. 4. Any justice of the supreme judicial court  
2 or of the superior court may, upon application of the  
3 board of railroad commissioners, or of the attorney gen-  
4 eral of the Commonwealth, or of any party interested,  
5 restrain any violation or threatened violation of any of  
6 the provisions of this act.

1   SECT. 5. This act shall take effect upon its passage.

