

## SENATE....No. 15.

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### Commonwealth of Massachusetts.

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SENATE, January 18, 1845.

The Joint Standing Committee on Railways and Canals, to whom was referred the Petition of T. J. Gridley and others, for a Rail-road from Hockanum village in Hadley to Montague, and sundry other petitions in aid of said petition of said T. J. Gridley and others, report the accompany bill.

Per order,

LINUS CHILD, *Chairman.*

## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Forty-  
Five.

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### AN ACT

To Incorporate the Hampshire and Franklin Rail-road  
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    **SECT. 1.** Timothy J. Gridley, Luke Sweetser,  
2    Pasons West, Austin Smith, Jonathan Hartwell, their  
3    associates and successors, are hereby made a Corpora-  
4    tion by the name of the Hampshire and Franklin Rail-  
5    road Company, with all the powers and privileges, and  
6    subject to all the duties, liabilities and restrictions set  
7    forth in the forty-fourth chapter of the Revised Stat-  
8    utes, and in that part of the thirty-ninth chapter of  
9    said Statutes, relating to Rail-road Corporations, and  
10   in all other general laws subsequently passed relating  
11   to Rail-road Corporations.

1   SECT. 2. Said Corporation is hereby empowered  
2 and authorized to locate, construct and fully complete  
3 a Rail-road, with one or more tracks, from some con-  
4 venient point in the village of Hockanum or Holyoke,  
5 in the town of Hadley, in the County of Hampshire,  
6 passing through the towns of Hadley, Amherst,  
7 Sunderland, Montague and Erving.

1   SECT. 3. The capital stock of said Corporation  
2 shall consist of not more than six thousand shares,  
3 the number of which shall, from time to time, be de-  
4 termined by the Directors of said Corporation, and  
5 no assessment shall be laid thereon of a greater  
6 amount in the whole than one hundred dollars on  
7 each share; and said Corporation may invest and hold  
8 such part thereof in real and personal estate as may  
9 be necessary and convenient for the purposes of their  
10 incorporation.

1   SECT. 4. If said Corporation be not organized, and  
2 that part of the location of its road within the County  
3 of Hampshire, filed with the County Commissioners  
4 in that County, and the location of that part of its  
5 road within the County of Franklin, with the Coun-  
6 ty Commissioners in that County, within two years  
7 from the passage of this act; or if said road be not  
8 completed within four years from the passage of this  
9 act, then the same shall be void.

1   SECT. 5. Said Corporation is hereby authorized to  
2 enter upon and unite their Rail-road by proper turn-  
3 outs and switches, with the Vermont and Massachu-  
4 setts Rail-road, at any convenient point in either of

5 the towns of Montague or Erving, and use the same  
6 or any part thereof, paying therefor such a rate of toll  
7 or compensation, as the Legislature may from time to  
8 time prescribe, or that may be fixed by any general  
9 law of this Commonwealth, complying with the rules  
10 and regulations which may be established by said Ver-  
11 mont and Massachusetts Rail-road Company: *pro-*  
12 *vided*, however, that said Corporation hereby estab-  
13 lished, shall not enter upon said Vermont and Massa-  
14 chusetts Rail-road with any motive power unless said  
15 Vermont and Massachusetts Rail-road Company shall  
16 refuse to draw over their road, or some part thereof,  
17 the cars of the Corporation hereby established: and  
18 provided further that said Corporation shall not be  
19 at liberty, against the consent of said Vermont and  
20 Massachusetts Rail-road Company, to so enter upon  
21 said Vermont and Massachusetts Rail-road, as to in-  
22 terfere with their depot buildings.

1 SECT. 6. Said Hampshire and Franklin Road  
2 Company may also enter upon and unite their Rail-  
3 road, by proper turnouts and switches, with the  
4 Northampton and Springfield Rail-road, at some con-  
5 venient place within the village of Hockanum or  
6 Holyoke in the town of Hadley, if said Northampton  
7 and Springfield Rail-road shall be continued to said  
8 village, and use said Northampton and Springfield  
9 road or any part thereof, paying for the same such  
10 a rate of toll or compensation as the Legislature may  
11 from time to time prescribe, or that may be fixed by  
12 any general law of this Commonwealth, complying  
13 with the rules and regulations which may be estab-



14 lished by said Northampton and Springfield Rail-  
15 road Corporation. *Provided, however,* that said  
16 Hampshire and Franklin Rail-road Company shall  
17 not enter upon said Northampton and Springfield  
18 Rail-road with any motive power unless said North-  
19 ampton and Springfield Rail-road Corporation shall  
20 refuse to draw over their road, or any part thereof,  
21 the cars of said Hampshire and Franklin Rail-road  
22 Company: *and provided further,* that said Company  
23 shall not enter with their road upon the road of said  
24 Northampton and Springfield Road Corporation against  
25 their consent so as to interfere with their depot build-  
26 ings.

1     SECT. 7. The Legislature may authorize any Com-  
2 pany to enter with another Rail-road upon and use  
3 the said Hampshire and Franklin Rail-road, or any  
4 part thereof, paying therefor such a rate of toll or com-  
5 pensation as the Legislature may, from time to time  
6 prescribe, complying with such rules and regulations  
7 as the said Hampshire and Franklin Rail-road Com-  
8 pany may prescribe: *provided, however,* that no other  
9 Corporation shall enter upon said Hampshire and  
10 Franklin Rail-road, with any motive power, unless  
11 said Hampshire and Franklin Rail-road Company shall  
12 neglect or refuse to draw over its road, or any part  
13 thereof, the cars of any other Rail-road Company  
14 which may be authorized to enter with its road upon  
15 the road hereby established.

1     SECT. 8. The Legislature may, after the expira-  
2 tion of five years from the time when the road of said  
3 Hampshire and Franklin Rail-road Company shall be

4 opened for use, from time to time, alter and reduce  
5 the rate of toll or profits upon said road ; but said tolls  
6 shall not, without the consent of said Corporation, be  
7 so reduced as to produce with said profits less than ten  
8 per cent. per annum.

1     SECT. 9.   This act shall take effect from and after  
2 its passage.