

May construct side tracks to wharves or warehouses, etc.

Provisos.

ported the said company may operate the said railroad at any hour of the day or night, under such permission to do so as may be granted by the board of railroad commissioners; and upon and over such other streets as the board of aldermen of said city may from time to time determine, on the petition of the said corporation; with the right also to construct, use and maintain side tracks from its main tracks to any wharf or wharves or warehouses, when requested, in writing, so to do by a majority in interest of the owners or occupants of such wharves or warehouses: *provided, however*, that no side track shall be laid upon a public street to any wharf or warehouse without the approval of the board of aldermen; and *provided, also*, that the rails for said tracks shall be of such pattern, suitable for railway freight cars in common use, as the board of aldermen may prescribe. Said corporation shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in all general laws which now are or hereafter may be in force relating to street railway corporations, and to other railroad corporations, so far as the same may be applicable.

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

*Approved May 23, 1901.*

**Chap.431** AN ACT TO CHANGE THE NAME OF BROCKTON FIRST CHURCH OF CHRIST SCIENTISTS.

*Be it enacted, etc., as follows:*

Name changed.

SECTION 1. The name of Brockton First Church of Christ Scientists, a religious society organized under the provisions of chapter one hundred and fifteen of the Public Statutes, is changed to First Church of Christ Scientists in Brockton, Massachusetts.

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

*Approved May 23, 1901.*

**Chap.432** AN ACT TO INCORPORATE THE MOUNT WACHUSETT STREET RAILWAY COMPANY.

*Be it enacted, etc., as follows:*

Mount Wachusett Street Railway Company incorporated.

SECTION 1. Frederick S. Coolidge, Edward F. Blodgett, William S. Reed, George R. Damon, Alexander S. Paton and James A. Stiles, their associates and successors, are hereby made a corporation under the name of

Mount Wachusett Street Railway Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws now or hereafter in force relating to street railway companies, so far as the same are applicable and consistent with the provisions of this act, and also subject to the provisions of any act conferring authority upon the Wachusett mountain state reservation commission to grant locations to street railway companies within the limits of the Wachusett mountain state reservation.

SECTION 2. The said company may locate, construct, maintain and operate a railway, in part over Wachusett mountain state reservation, in part upon private land, and upon highways in the towns of Westminster and Princeton, from some point at or near the terminus of the line of the Gardner, Westminster and Fitchburg Street Railway Company, to a point at or near the top of Mount Wachusett. No location on private land or on the Mount Wachusett state reservation shall exceed fifty feet in width, and the proceedings for the taking of private property, and for the determination and payment of damages therefor, shall be similar to those prescribed by general law in relation to railroads, but nothing in this act shall be so interpreted as to authorize the taking of any part of the property of the Wachusett mountain state reservation.

May construct, etc., its railway in certain towns, etc.

SECTION 3. The selectmen of the towns aforesaid may grant a location for the tracks of the said company in any ways of the said towns, respectively, subject to the provisions of section thirteen of chapter five hundred and seventy-eight of the acts of the year eighteen hundred and ninety-eight.

Location.

SECTION 4. The capital stock of the said company shall not exceed one hundred thousand dollars, but may be increased, subject to the provisions of all general laws relating to the increase of capital stock of street railway companies.

Capital stock.

SECTION 5. The said company may from time to time, by a vote of the majority in interest of its stockholders, issue coupon or registered bonds to an amount not exceeding one hundred thousand dollars, and bearing interest at a rate not exceeding six per cent per annum, payable within periods not exceeding twenty years from the dates thereof: *provided*, that such issue of bonds

May issue bonds, etc.

Proviso.

shall be subject to the provisions of all general laws relating to the issue of bonds by street railway companies.

May make leases, etc., with any other company.

SECTION 6. The said company is hereby authorized to make with any other railway company such leases or contracts for operating said railway as the directors of such other railway corporation may agree to, and as may be approved by the majority in interest of the stockholders of each corporation at meetings duly called for the purpose.

Road to be constructed, etc., before July 1, 1902.

SECTION 7. The provisions of this act shall be void if the said company shall not have constructed and operated the road on or before the first day of July in the year nineteen hundred and two.

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

*Approved May 23, 1901.*

*Chap. 433* AN ACT RELATIVE TO THE IMPROVEMENT BY THE MASSACHUSETTS HIGHWAY COMMISSION OF HIGHWAYS IN SMALL TOWNS.

*Be it enacted, etc., as follows:*

1900, 432, § 2, amended.

SECTION 1. Section two of chapter four hundred and thirty-two of the acts of the year nineteen hundred is hereby amended by inserting after the word "towns", in the sixth line, the words:— the valuation of which does not exceed one million dollars and, — and by inserting after the word "built", in the sixth line, the words:— The Massachusetts highway commission may expend a further amount, not exceeding five per cent of the amount appropriated each year for the construction and repair of state highways in towns the valuation of which exceeds one million dollars, in such amounts as it may determine: *provided*, that such towns appropriate an equal amount in addition to the average annual appropriation for repairs of highways for the preceding five years, to be expended in accordance with the provisions of this act, — so as to read as follows: — *Section 2.* Of the amount appropriated each year for the construction and repair of state highways five per cent shall be expended under the direction of the Massachusetts highway commission in such towns and in such amounts as it shall determine, in constructing or repairing highways in towns the valuation of which does not exceed one million dollars and in which no state highway has been built. The Massachusetts highway commission may expend a

Construction and repair of highways in certain towns.