

HOUSE....No. 104.

[Reported by the Committee on Railways and Canals.]

Commonwealth of Massachusetts.

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

AN ACT

To establish the Waltham and Newton Branch Railroad.

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. Eben. Hobbs, Francis C. Lowell, Isaac
2 Parker, their associates and successors, are hereby
3 made a corporation, by the name of the Waltham
4 and Newton Branch Railroad Company, with all the
5 powers and privileges, and subject to all the duties,

6 liabilities, and restrictions, set forth in the forty-fourth
7 chapter of the Revised Statutes, and in that part of
8 the thirty-ninth chapter of said statutes relating to
9 railroad corporations, and in all other general laws
10 which have been, or shall be subsequently passed,
11 relative to railroad corporations.

1 SECT. 2. Said Company is hereby empowered to
2 locate, construct, and maintain, with one or more
3 tracks, a branch railroad, commencing near the
4 works of the Newton Chemical Company in Newton,
5 and running in a northeasterly direction across
6 Charles River, at a point near the lower factory and
7 bleachery of the Boston Manufacturing Company in
8 Waltham, and then running on the north side of
9 Charles River, to a convenient point on the Water-
10 town Branch of the Fitchburg Railroad Company,
11 near Bemis's Factory in Watertown.

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

1 SECT. 4. If the location of said railroad shall
2 not be filed within one year, and said railroad be
3 not constructed within two years, from the passage of
4 this act, then the same shall be void.

1 SECT. 5. Said company is hereby authorized to
2 enter upon and unite their railroad, by proper turn-
3 outs and switches, with said Watertown Branch of
4 the Fitchburg Railroad, and use the same, or any
5 part thereof.

1 SECT. 6. The legislature may authorize any com-
2 pany to enter with another railroad upon, and use
3 said Waltham and Newton Branch Railroad, or any
4 part thereof, by complying with such reasonable rules
5 and regulations as the said Waltham and Newton
6 Branch Railroad Company may prescribe, or as may
7 be determined according to the provisions of law.

1 SECT. 7. The legislature may, after the expira-
2 tion of five years from the time when the said
3 Waltham and Newton Branch Railroad shall be opened
4 for use, from time to time, alter and reduce the rate of
5 toll or profits upon said road ; but said toll shall not
6 be so reduced, without the consent of said company,
7 as to produce, with said profits, less than ten per cent.
8 per annum upon the investments of said company.

1 SECT. 8. The Fitchburg Railroad Company may,
2 by a vote of the stockholders specially convened for
3 that purpose, within one year from the passage of
4 this act, accept the charter hereby granted, and in
5 that case may locate, construct, and maintain said
6 branch railroad, and succeed to hold and enjoy all
7 the franchise, rights, and privileges hereby conferred,
8 and be subject to all the duties, restrictions, and lia-
9 bilities hereby imposed, and may increase their cap-
10 ital stock to the extent hereby authorized ; and, upon
11 such election, the rights of the corporators first
12 named shall cease and determine.

