

HOUSE.....No. 45.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, Feb. 28, 1846.

The Joint Committee on Towns, to which was committed the Petition of James Jackson and others, praying for the incorporation of a new town, to be called Unionville, have duly considered the same, and report as follows, viz.

Commonwealth of Massachusetts.

The Petitioners ask leave for an Act of Incorporation into a new town by the name of *Unionville*. The proposed town will take from the town of Framingham 3,580 acres, from Hopkinton 3,011 acres, and from Holliston 1,720 acres—making in the aggregate 8,311 *acres*. The town will contain about 1,100 inhabitants, taking from Framingham about 304, from Hopkinton 692, and from Holliston 104 persons. The territory will comprise thirteen square miles, and contain 273 legal voters. If the territory should be incorporated according to the prayer of the petitioners, there would be left in Hopkinton 1,551 persons, in Framingham 2,726, and in Holliston 1,678 persons, by the census of 1840. It was proved to the satisfaction of the Committee, that the amount of business done in Unionville in the last year, exclusive of farming, was about *two hundred and seventy thousand dollars*.

There are on the territory, *two paper mills* and *one cotton factory*, doing an extensive business. Also, *two grist and saw mills*, *three stores*, *one lumber yard* doing a business at the rate of *ten thousand dollars* per annum; *one sash and blind factory*, several manufactories of boots and shoes, and various other mechanical employments, doing, in the aggregate, the amount above mentioned.

There are *two churches* upon the territory, with other buildings requisite for forming a commodious town.

There are *two unoccupied water privileges* of considerable importance, and which will probably be soon occupied. The territory for which the incorporation is asked, has, within itself, the elements of prosperity.

The Boston and Worcester Rail-road runs through the proposed town, and there is here one of the largest depots between Worcester and Boston, at which, business has regularly in-

creased from the time of the opening of the road to the present time. The number of persons who took the cars at this place during the past year, was 6,591—and of those who left the cars during the same time, was 6,205; the average of whose *fares* was a little less than *fifty cents* for each person. The tonnage to and from Unionville and Boston the last year, was 3,967 *tons*, paying an average of about \$1 40 *per ton*. There were also transported during the past year, to and from this depot from the Western Rail-road and Norwich road, 297 *tons*.

The Committee notified the several towns from which it is proposed to take portions for the new corporation. Delay was granted to the town of Framingham to ascertain the views of the inhabitants of that town, from which the largest portion of the territory is proposed to be taken for the new town. It appears, from the records of the votes of the town on this subject, that Framingham is willing that the prayer of the petitioners should be granted.

The agent of the town of Holliston appeared before the Committee, and stated that Holliston would not oppose the prayer of the petitioners. It appears, from the report of a former Committee on the same subject, that both Holliston and Framingham were averse to the incorporation of the proposed town. The agent from Holliston was very explicit in his statement to the Committee; that though Holliston was unwilling to part with this portion of their territory, they thought, viewing the interests of all parties, they could not, in equity and justice, refuse to grant the prayer of the petitioners, so far as they were concerned. A similar declaration was made to the Committee by a person who had been an agent for the town of Framingham for agreeing upon a division line between the proposed town and the old town; that equity required that the act of incorporation should pass. It was proved before the Committee, that the population of this tract of territory labor under serious disadvantages, to wit: The inhabitants are obliged to travel, on an average, the distance of *four miles*, to transact their municipal business. This creates a heavy tax upon the operatives in the mills and other employments. The mechan-

ics are under the necessity of hiring carriages to carry them to and from the centre of their respective towns.

The same circumstances operate still more injuriously upon the interests of the proprietors of the several factories and mills, as the manufactories must stop for the whole day or a considerable portion of it, for each town meeting. This territory is mostly a plain, nearly surrounded by hills, and the inhabitants are so separated by these natural barriers, from the centre of their several towns, as to make arduous and difficult the intercourse between them. The interests of the population are nearly identical, and of such a nature as to require different measures from those they could probably obtain in connexion with the several towns to which the territory now belongs.

The inhabitants are minorities in the towns to which they now belong, and their influence thus, in a great measure, fails to accomplish their wishes, in carrying out measures adapted to promote their interest. In religious matters, there is not so close a union as there would be, if their municipal relations were more intimate.

It appears, from the evidence adduced before the Committee, that by the incorporation of the town as proposed, the value of property within the limits would be considerably enhanced, that a separate organization would have a tendency to increase the population, by inducing artisans and mechanics to establish business within the territory. It is a pleasant location, furnishing facilities to go by the rail-road to different parts of the State. The incorporation would enable the inhabitants to promote their common interests, and that at a less expense to themselves than now.

The school districts in Holliston and in Framingham, would be left as well as they now are. In Hopkinton, the incorporation of Unionville, as proposed, would involve the necessity of removing one schoolhouse. The house is old and not of great value. The interest of the several towns, a part of whose territory it is proposed to take, would not be materially injured by granting the prayer of the petitioners. It would leave each a large and wealthy corporation, sufficiently numerous in population to retain a full representation in the Legislature, in all

future time, upon the present basis of elections. In view of the whole case, the Committee are unanimous in the opinion, that the public good can suffer no detriment by granting this act of incorporation; and a great benefit and convenience must be realized by the petitioners.

Your Committee have spent much time in investigating and deliberating upon this case; have heard a great amount of evidence pro and con, the result of which, is, they have arrived to the unanimous conclusion that the prayer of the petitioners ought to be granted. They, therefore, recommend the passage of the accompanying Bill.

All of which is respectfully submitted.

For the Committee,

JOSEPH D. SARGENT.

Commonwealth of Massachusetts.

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

AN ACT

To incorporate the town of Unionville.

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. That all the territory now within the
2 towns of Hopkinton, Framingham and Holliston, in
3 the county of Middlesex, comprised within the fol-
4 lowing limits, that is to say : Beginning at the west-
5 erly corner of said territory, at a point in the line
6 between Hopkinton and Southborough, in the county
7 of Worcester, at the centre of Concord River, due
8 north of a monument, situated at the south side of
9 said river ; thence southerly, passing a few rods
10 west of the house of Peter Walker, to the southwest
11 corner of the Wilson saw mill meadow ; thence

12 southeasterly, to a point ten rods northeast of the
13 northeast corner of the house of Nehemiah Peirce ;
14 thence southerly, to a point on the north side of the
15 road leading from house of Amasa Eames, by school-
16 house in the district No. 3, in Hopkinton, said point
17 being situated twenty rods westerly of the intersec-
18 tion of the north line of said road with the west line
19 of the road leading by the house of Ezra Rockwood,
20 to that part of Hopkinton now called Unionville ;
21 thence easterly to a point situated forty rods due
22 south of the southeast corner of the house of Daniel
23 Eames ; thence northeasterly to the line of the town
24 of Holliston ; thence passing across the north part
25 of Holliston to a monument at Dapping Brook, be-
26 tween the towns of Holliston and Sherburne ; thence
27 northerly on the line between the last named towns,
28 to the town of Framingham ; thence easterly on the
29 line between Framingham and Sherburne to the
30 "Ploughshare," so called ; thence north four de-
31 grees east, two hundred and thirty-nine rods to a
32 monument ; thence northwesterly to the intersection
33 of the Rice Brook, with the road leading by the house
34 of William Badger in Framingham ; thence more
35 westerly to the line between the towns of Framing-
36 ham and Southborough ; thence southwestwardly on the
37 line between said towns, four hundred rods, to a
38 monument near the west side of the road leading by
39 the house of Nathan Bridges ; thence southerly be-
40 tween the last named towns to an iron bolt in the
41 centre of Concord River, said bolt being the bound
42 between the towns of Framingham, Hopkinton and
43 Southborough ; thence westerly by the centre of said
44 river to first mentioned bound, is hereby incorporat-

45 ed into a town by the name of Unionville ; and said
46 town of Unionville is hereby invested with all the
47 powers, privileges, rights and immunities, and sub-
48 ject to all the duties and requisitions to which other
49 towns are entitled and subjected, by the Constitution
50 and laws of this Commonwealth.

1 SECT. 2. The inhabitants of said town of Union-
2 ville shall be holden to pay all arrears of taxes,
3 which have been legally assessed upon them by the
4 towns of Hopkinton, Framingham and Holliston, re-
5 spectively, and all taxes heretofore assessed and not
6 collected, shall be collected and paid to the treasurers
7 of the towns of Hopkinton, Framingham and Hollis-
8 ton, respectively, in the same manner as if this Act
9 had not been passed, and also their proportion of
10 all county and State taxes that may be assessed upon
11 them previously to the taking of the next State valu-
12 ation ; said proportion to be ascertained and deter-
13 mined by the last valuation in the said respective
14 towns.

1 SECT. 3. The said town of Unionville shall, here-
2 after be liable to pay one-twelfth part of the expen-
3 ses hereafter necessarily to be incurred in the support
4 of all paupers, who, at the time of passing this Act, are
5 receiving support from the town of Framingham, and
6 one-fifth part of the expenses so to be incurred by
7 the town of Hopkinton in the support of paupers at
8 present receiving relief from Hopkinton, and one-
9 eighth part of the expenses so to be incurred by the
10 town of Holliston in the support of paupers, at pres-
11 ent receiving relief from said Holliston.

1 SECT. 4. In case any disagreement shall arise
2 between said Unionville and said Framingham, Hol-
3 liston or Hopkinton, in respect to the expenses in
4 support of paupers under this act, the Court of Com-
5 mon Pleas for the county of Middlesex, are hereby
6 authorized to, and shall, on application of either
7 town interested, appoint three disinterested persons
8 to hear the parties and award thereon ; which award,
9 when accepted by said court, shall be final.

1 SECT. 5. The said town of Unionville shall re-
2 main parts of the towns of Framingham, Hopkinton
3 and Holliston, for the purpose of electing the repre-
4 sentative to the General Court, to which said towns
5 are respectively entitled, and for the purpose of
6 electing State officers, and Senators, Representative
7 to Congress, and electors of President and Vice
8 President of the United States, until the next decen-
9 nial census of the inhabitants shall be taken, in pur-
10 suance of the thirteenth article of Amendment of
11 the Constitution ; and the meeting for the choice of
12 such representatives, State officers and senators,
13 shall be called by the selectmen of said respective
14 towns ; the selectmen of Unionville shall make
15 true list of persons belonging to the territory of each
16 of said towns, qualified to vote at every such elec-
17 tion, and the same shall be taken and used by the
18 selectmen of said respective towns, for such elec-
19 tions, in the same manner as if prepared by them-
20 selves.

1 SECT. 6. The said towns of Framingham, Hop-

2 kinton and Holliston, and Unionville, shall be holden
3 to pay the expenses of the construction of all roads
4 within their respective limits, which have been lo-
5 cated but not made.

1 SECT. 7. The farm now owned by the town of
2 Holliston, within the territory hereby erected into
3 the town of Unionville, as a place for the employ-
4 ment and maintenance of the poor of the town of
5 Holliston, shall not be liable to any taxation by the
6 town of Unionville, so long as said farm is owned
7 and used by the town of Holliston, as a place for
8 such maintenance and employment.

1 SECT. 8. The town of Unionville shall be holden
2 to refund, to the town of Hopkinton, one fifth part of
3 the Surplus Revenue of the United States, heretofore
4 received by said town of Hopkinton, in case that
5 said town shall ever be required to refund the same.

1 SECT. 9. The town of Unionville shall pay to
2 the town of Hopkinton, within four years from the
3 passage of this act, the sum of four hundred dollars
4 with interest thereon, in full compensation for their
5 proportion of the town debt of Hopkinton.

1 SECT. 10. Any justice of the peace in the county
2 of Middlesex is hereby authorized to issue his war-
3 rant to any principal inhabitant of the town of Un-
4 ionville, requiring him to warn the inhabitants of
5 said town, to meet at the time and place therein ap-
6 pointed, for the purpose of choosing all such town

7 officers, as towns are by law authorized and requir-
8 ed to choose, at their annual meetings.

1 SECT. 11. This act shall be in force from and after
2 its passage.

