

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT THE STATE ALMSHOUSE AT TEWKSBURY. *Chap. 60*

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

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of salaries and expenses at the state almshouse at Tewksbury during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-one, to wit : —

For the payment of salaries, wages and labor at the state almshouse at Tewksbury, a sum not exceeding twenty-nine thousand dollars ; and for other current expenses at said institution, a sum not exceeding seventy-nine thousand five hundred dollars.

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

*Approved March 12, 1891.*

AN ACT TO AUTHORIZE THE CONSTRUCTION OF A PUBLIC BRIDGE OVER AN ARM OF WEST FALMOUTH HARBOR IN THE TOWN OF FALMOUTH. *Chap. 61*

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

SECTION 1. The town of Falmouth, or the county commissioners of Barnstable county, may respectively lay out a town way or highway, and may build and maintain a bridge without a draw therein, over the southerly arm of West Falmouth (otherwise called Chapaquoit) harbor, at or near carpet factory wharf in said town ; subject to the provisions of chapters nineteen and forty-nine of the Public Statutes and of any other laws which now are or hereafter may be in force applicable thereto.

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

*Approved March 12, 1891.*

AN ACT TO INCORPORATE THE TRUSTEES OF THE JAMES ARNOLD FUND. *Chap. 62*

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

SECTION 1. William J. Rotch, Henry Taber and Oliver Prescott, all of New Bedford in the county of Bristol, trustees of the fund created “for the benefit of the poor and needy in New Bedford who may be deserving”, by

the will of James Arnold, late of said New Bedford, deceased, and their successors in said trust elected or appointed in accordance with the terms of said will, are hereby made a corporation by the name of the Trustees of the James Arnold Fund, for the purpose of managing said fund and dispensing said charity, as provided in said will, with greater facility and security; with all the powers and privileges and subject to all the restrictions, duties and liabilities set forth in the general laws which now are or hereafter may be in force and applicable to such corporations, not inconsistent with the provisions of said will.

Provisions of will to be maintained.

SECTION 2. Nothing in this act shall be construed as restricting, enlarging or in any way changing the provisions of said will, or the scheme of charity therein set forth, or as impairing the jurisdiction of the supreme judicial court over the subject matter of the trust created by said will; but said corporation shall, in the execution of the purposes for which it is created, be held to have the same powers and be subject to the same limitations in respect thereof as are applicable to said trustees by the provisions of said will.

Real and personal estate.

SECTION 3. Said corporation is authorized to take and hold, all and singular the estate, real and personal, devised and bequeathed to said trustees by said will; and after the organization of said corporation the trustees holding for the time being the appointment of the probate court in and for the county of Bristol, are hereby authorized to convey all the estate, real and personal aforesaid, to the said corporation. On the allowance of the account of the said trustees, showing the payment and conveyance to said corporation as aforesaid of all the property and estate in their hands and possession belonging to the said trust at the time of such payment and conveyance, they shall be discharged by said probate court.

Compensation, powers and duties of trustees.

SECTION 4. The said corporators as trustees, and their successors, shall receive no compensation for their administration of the trust; and said trustees and their successors shall have power to fill all vacancies in their number as provided in said will, to make all proper by-laws both for their own government and the orderly transaction of their business, to elect or appoint from time to time all such officers and agents as they shall judge necessary, even though trustees, and to determine the character, tenure and compensation of their offices; and generally to do all

acts necessary or proper to be done for the purpose of carrying into full effect the provisions of this act.

SECTION 5. This act shall take effect upon its passage.

*Approved March 12, 1891.*

AN ACT IN ADDITION TO AN ACT AUTHORIZING THE BOSTON, REVERE BEACH AND LYNN RAILROAD COMPANY TO UNITE AND CONSOLIDATE WITH THE BOSTON, WINTHROP AND SHORE RAILROAD COMPANY.

*Chap. 63*

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

SECTION 1. Every stockholder of either the Boston, Revere Beach and Lynn Railroad Company or of the Boston, Winthrop and Shore Railroad Company shall be deemed to assent to the terms and conditions of any consolidation approved by a majority in interest of the stockholders of said corporations as provided in section one of chapter one hundred and thirty-two of the acts of the year eighteen hundred and eighty-seven, unless within thirty days from such approval he shall file with the clerk of the Boston, Revere Beach and Lynn Railroad Company a writing declaring his dissent from said terms and conditions and stating the number of shares held by him and the number of the certificate or certificates evidencing the same: *provided, however,* that as against any stockholder legally incapacitated from acting for himself and having no legal guardian, said period of thirty days shall not begin to run until the removal of such incapacity by the appointment of a legal guardian or otherwise. The shares of any stockholder dissenting as above specified shall be acquired by said Boston, Revere Beach and Lynn Railroad Company, and shall be valued, and the value thereof be paid or tendered or deposited to or for account of such stockholder in the manner following:— Within thirty days from the filing of any stockholder's dissent as above provided, the said Boston, Revere Beach and Lynn Railroad Company shall file its petition with the supreme judicial court sitting within and for the county of Suffolk, setting forth the material facts and praying that the value of such dissenting stockholder's shares may be determined. Thereupon, after such notice to all parties concerned as it may deem proper, said court shall pass an order requiring such dissenting stockholder's certificate or certificates of stock to be deposited with the clerk of said court, and shall appoint three commissioners to ascertain and report the value of

Stockholders to be deemed to have assented to consolidation unless written dissent be filed.

Proviso.

Value of shares to be determined.