

after said date, and the complainant, if he recover damages, shall be allowed costs only to the date of the offer, unless the damages so recovered shall be in excess of the amount offered by said trustees, as aforesaid.

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

*Approved February 27, 1896.*

AN ACT MAKING APPROPRIATIONS FOR PRINTING AND BINDING THE REPORTS OF THE DECENNIAL CENSUS OF THE YEAR EIGHTEEN HUNDRED AND NINETY-FIVE, AND FOR EXPENSES IN CONNECTION WITH TAKING SAID CENSUS.

*Chap. 118*

*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 purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

Appropriations.

For printing and binding the reports of the decennial census of the year eighteen hundred and ninety-five, as provided for by chapter fifty-two of the resolves of the year eighteen hundred and ninety-five, a sum not exceeding fifteen thousand dollars.

Printing and binding reports of decennial census.

For the payment of the expenses in connection with the taking of the decennial census, as provided for by chapter eight of the acts of the year eighteen hundred and ninety-six, a sum not exceeding seventy-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Expenses.

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

*Approved February 27, 1896.*

AN ACT TO AUTHORIZE THE PITTSFIELD ELECTRIC STREET RAILWAY COMPANY TO CONSTRUCT AND OPERATE ITS RAILWAY IN THE TOWN OF DALTON.

*Chap. 119*

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

SECTION 1. The Pittsfield Electric Street Railway Company is hereby authorized to extend and operate its lines in and through the town of Dalton, upon locations that may be granted by the board of selectmen of said town, and subject to such limitations and conditions as may be imposed by said board.

May extend and operate its lines in town of Dalton.

Location.

SECTION 2. Said railway company may construct its tracks over private land and hold the same by purchase or lease, but no location outside of the public streets and highways shall exceed fifty feet in width.

May increase capital stock, and issue bonds.

Proviso.

SECTION 3. For the purpose of providing the means of carrying out the authority hereby granted said company may increase its capital stock and issue bonds: *provided*, such additional issue of stock and bonds shall not exceed seventy-five thousand dollars; but only such amounts of stock and bonds shall be issued as may from time to time, upon investigation by the board of railroad commissioners, be deemed and voted by them to be reasonably requisite for the purpose herein set forth; but otherwise than is provided by this act stock or bonds shall not be issued for any purposes not now authorized by statute. The vote of said board determining said issue shall specify the respective amounts of stock and bonds to be issued for the respective purposes to which the proceeds thereof are to be applied; and said company shall not apply said proceeds to any other purpose, and may be enjoined from so doing by any justice of the supreme judicial or superior courts, upon application of any interested party. The capital stock herein authorized to be issued may be subscribed and paid for in cash at par, or sold at public auction, as said board may determine; and the bonds herein authorized to be issued may be either registered or with coupons attached, bearing interest at a rate not exceeding six per cent. per annum, be made payable in gold, and for a term not exceeding twenty years from the date thereof; and to secure the payment of said bonds with the interest thereon said company may make a mortgage of its railway and franchise and any part or all of its property, and may include in said mortgage property thereafter to be acquired; said mortgage to be upon the terms set forth in chapter three hundred and eighty-one of the acts of the year eighteen hundred and ninety-three, and to be security also for any bonds issued thereunder.

Authority to cease under certain conditions.

SECTION 4. The authority herein granted shall cease where no portion of the proposed extension has been built and put into operation at the end of two years from the date of the passage of this act.

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

*Approved February 27, 1896.*