

AN ACT TO INCORPORATE THE ORANGE AND ERVING STREET RAILWAY COMPANY. *Chap. 298*

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

SECTION 1. John W. Wheeler, Jay B. Reynolds, Warren M. King, Fred A. Dexter, Edward C. Fowler, Edward A. Goddard, Dwight A. Armstrong, Charles A. Towne, Stephen French, William H. Crowley, George M. Wheeler, Marcus M. Stebbins, Noah Rankin, Edwin Wilber, Henry D. Reynolds, Henry F. Burnett, Charles S. Stone, J. Henry Webster, Solomon H. Amidon, Dennis E. Farley, George E. Monroe, Edson J. Pratt and Thomas O'Keefe, their associates and successors, are hereby made a corporation under the name of the Orange and Erving Street Railway Company, with all the powers and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies.

Orange and Erving Street Railway Company incorporated.

SECTION 2. Said company may locate, construct, maintain and operate its railway in such manner as may be convenient and necessary, in part upon private land and upon streets, highways or state roads, in the towns of Orange, Erving and Montague, subject to the approval and under the control of the selectmen of the respective towns, as provided by general laws, and subject also to the approval and consent of the Massachusetts highway commission as to any part of said railway located upon a state highway. The location of said railway outside the public streets and highways shall not exceed fifty feet in width.

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

Location.

SECTION 3. Said company may maintain and operate its railway by any approved power other than steam, and may erect and maintain poles and wires on private lands taken, and, with the consent of the board of selectmen in the respective towns, may erect such poles and wires in the streets and highways as may be necessary to establish and maintain such motive power. It may acquire by purchase or by lease all necessary real estate for its power stations, and for the construction and maintenance of its railway.

Motive power, etc.

May acquire necessary real estate.

SECTION 4. The capital stock of said company shall not exceed seventy thousand dollars, except that said company may increase its capital stock, subject to the provisions of the general laws relative thereto.

Capital stock.

May issue mortgage bonds, etc.

SECTION 5. Said company, in order to meet expenses incurred under this act, may issue bonds not exceeding the amount of its capital stock, and payable within a period not exceeding thirty years from the date thereof, secured by mortgage of its franchise and property, subject to the general laws relative thereto, and in such mortgage may reserve to its directors the right to sell or otherwise in due course of business dispose of property included therein which may become unsuitable for use, provided an equivalent in value is substituted therefor.

May carry personal baggage, etc.

SECTION 6. Said company is hereby authorized to use its said tracks to carry personal baggage and small parcels over any street or highway or over any private land upon which it may be authorized to construct its tracks as aforesaid, subject to the provisions of chapter seventy-three of the Public Statutes and of all laws relating to common carriers.

Issue of stock or bonds to be approved by railroad commissioners.

SECTION 7. No stock or bonds shall be issued under this act until the terms of such issue have been submitted to the board of railroad commissioners and approved by them under the general laws relative to the issue of stock and bonds by railroads and street railways. And if they approve such issue a certificate setting forth such approval shall be executed by said board and filed by said company in the office of the secretary of the Commonwealth.

Portion of road to be put in operation within four years.

SECTION 8. The authority herein granted shall cease unless some portion of the proposed road has been built and put in operation within four years from the passage of this act.

SECTION 9. This act shall take effect upon its passage.

*Approved April 21, 1897.*

*Chap. 299* AN ACT TO AUTHORIZE THE TAKING OF LAND FOR SCHOOLHOUSES.

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

Cities and towns may take lands for schoolhouses, etc.

SECTION 1. Cities by their city councils, and towns by their selectmen, may take, maintain and hold, in fee, any lands for the erection of a schoolhouse and necessary buildings, or for enlarging a schoolhouse or schoolhouse lot; but the selectmen of towns shall not take any such lands unless previously authorized so to do at some public meeting of the inhabitants of the town regularly warned and notified therefor.

Description of lands, etc., to be recorded.

SECTION 2. The city councils of cities and the selectmen of towns shall cause to be recorded in the registry