

his subscription to the capital stock of the company, he may do so by giving notice thereof to the clerk within six months from the passage hereof; and he shall thereupon receive back, from said company, the full amount of any assessment paid by him upon such stock, with interest.

Meeting for acceptance of this act, &c.

SECTION 5. The clerk of said company is authorized to call a meeting thereof, giving such notice as is provided in the by-laws, for the purpose of accepting this act, filling any vacancies that may exist in the offices of the company, and transacting the general business thereof.

When to take effect.

SECTION 6. This act shall take effect from and after its passage. [*Approved by the Governor, April 20, 1847.*]

### Chap 202.

An Act in addition to an Act to incorporate the Walpole Reservoir Company.

*BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

Rights of individuals and corporations in relation to the waters of Neponset River, &c. not to be impaired.

SECTION 1. Nothing contained in the act to incorporate the Walpole Reservoir Company, passed at this session of the Legislature, shall be construed to impair the rights of individuals or corporations in relation to the waters of Neponset River, or the lands that may be overflowed and injured by means of the dam and reservoir of said company; nor shall the waters, at any time contained in said reservoir, be applied to any other purpose than for the use and benefit of the mills and manufacturing establishments on said Neponset River. [*Approved by the Governor, April 20, 1847.*]

Waters in reservoir to be applied only for use of mills, &c.

### Chap 203.

An Act relating to the Draw of the Newburyport Bridge.

*BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

Time for completion of draw extended to July 1, 1847.

The time allowed to the Eastern Rail-road Company, by an act passed on the sixteenth day of April, one thousand eight hundred and forty-six, to make and complete a suitable draw in the Newburyport Bridge, is hereby extended to the first day of July, one thousand eight hundred and forty-seven. [*Approved by the Governor, April 20, 1847.*]

### Chap 204.

An Act to incorporate the Marblehead and Lynn Branch Rail-road Company.

*BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

Persons incorporated.

SECTION 1. Increase H. Brown, Eben B. Phillips, William Fabens, their associates and successors, are hereby made a corporation, by the name of the Marblehead and Lynn Branch Rail-road Company, with all the powers and privileges, and subject to all the duties, liabilities, and re-

restrictions, contained in the forty-fourth chapter of the Revised Statutes, and in that part of the thirty-ninth chapter of said Statutes which relates to rail-road corporations, and in all general laws which are now, or may be hereafter, in force, relating to rail-road corporations in this Commonwealth.

SECTION 2. The capital stock of said company shall not exceed twelve hundred and fifty shares, the number of which shall be determined, from time to time, by the directors thereof; and no assessments shall be laid thereon of a greater amount, in the whole, than one hundred dollars on each share; and said company may purchase and hold such real and personal estate as may be necessary for the purposes of their incorporation.

Capital stock not to exceed \$125,000 in shares of \$100.

SECTION 3. The said company may locate, construct, and maintain a rail-road, with one or more tracks, beginning at a point convenient for the accommodation of the public, near the common in Marblehead, thence passing southwesterly through the farms near the sea-shore, in said town; thence westerly through the village of Swampscot, in Lynn, to a point most convenient for entering upon the Eastern Rail-road in the said town of Lynn.

Location of road.

SECTION 4. If the said company be not organized, and the location of their said road filed, according to law, within one year, and if said road be not completed and opened for use within three years from the passage of this act, then this act shall be void.

Time for location and completion of road.

SECTION 5. Said company may enter with their rail-road upon the Eastern Rail-road, at the most convenient point in the town of Lynn, and use the same, or any part thereof, according to the provisions of law.

May enter upon and use the Eastern Rail-road.

SECTION 6. The Legislature may, from time to time, alter or reduce the rate of tolls or other profits on said road; but said tolls and other profits shall not, without the consent of said company, be so reduced as to produce less than ten per cent. per annum on the investment of said company.

The Legislature may reduce tolls and profits from time to time.

Provided, &c.

SECTION 7. The Legislature may authorize any other rail-road company to enter, with their rail-road, at any point on the said Marblehead and Lynn Branch Rail-road, and use the same, or any part thereof, by complying with such reasonable rules and regulations as the said Marblehead and Lynn Branch Rail-road Company may prescribe, or as may be determined according to the provisions of law.

The Legislature may authorize its use by any other company.

SECTION 8. This act shall take effect from and after its passage. [*Approved by the Governor, April 20, 1847.*]

When to take effect.