

construed, as to authorize said company to engage in life insurance, or in any thing save assurance upon health; nor is it permitted to insure more than four hundred dollars per annum on any one risk. [*Approved by the Governor, April 5, 1848.*]

Risks not to be taken on lives; nor more than \$400 on one risk.

An Act to incorporate the New London, Willimantic, and Palmer Railroad Corporation.

Chap 100.

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

SECTION 1. Andrew W. Porter, Franklin Newell, Elisha Converse, Sylvester Parks, William N. Flynt, their associates and successors, are hereby made a corporation, by the name of the New London, Willimantic, and Palmer Railroad Corporation, with all the powers and privileges, and subject to all the duties, liabilities, and restrictions, set forth in the forty-fourth chapter of the Revised Statutes, and in all that part of the thirty-ninth chapter of said statutes relating to railroad corporations, and in all other general laws which have been, or shall be, passed, relative to railroad corporations, in this Commonwealth.

Persons incorporated.

SECTION 2. Said corporation may locate, construct, and maintain, a railroad, with one or more tracks, from some convenient point on the line of the Western Railroad, at or near the depot of said railroad in the town of Palmer, by the most convenient route, southerly, to and across the Chicopee River, near the dwelling-house of Rufus F. Fay; thence, southerly, near the Centre and North Factory Village, and the West Branch Factory, in the town of Monson, to a point on the southern line of the State, in said town, near the premises of Cyrus Dunbar, with a view to unite the said railroad with a railroad authorized by the legislature of Connecticut, from New London to the line of the State of Massachusetts.

Route of railroad.

SECTION 3. The capital stock of said corporation shall consist of not more than two thousand shares; the number of which shall, from time to time, be determined by the directors of said corporation; and no assessment shall be laid thereon, of a greater amount in the whole than one hundred dollars on each share; and said corporation may invest and hold such part thereof, in real and personal estate, as may be necessary and convenient for the purposes of their incorporation.

Capital stock not more than \$200,000, in shares of \$100.

SECTION 4. Said corporation may enter upon, and unite their railroad, by proper turn-outs and switches, with the Western Railroad, at some convenient point at or near the Palmer Depot in the town of Palmer, and may use the same, under the provisions and restrictions of the laws relating to railroads in this Commonwealth.

May enter upon Western Railroad in Palmer.

Legislature may authorize the use of this road by any other company.

SECTION 5. The legislature may authorize any company to enter with another railroad upon, and use, the said New London, Willimantic, and Palmer Railroad, or any part thereof, by complying with such reasonable rules and regulations as the said New London, Willimantic, and Palmer Railroad Corporation may prescribe, or as may be determined according to the provisions of law.

May reduce the rates of fare after five years.

SECTION 6. The legislature may, after the expiration of five years from the time when the said railroad shall be opened for use, from time to time, reduce the rates of toll, or other profits, upon said road; but the same shall not be so reduced, without the consent of said corporation, as to yield, with said profits, less than ten per cent. per annum to the stockholders.

Organization, and location of route; act when void.

SECTION 7. If said corporation shall not be organized, and if the location of the route of said road shall not be filed with the county commissioners of the county of Hampden, within two years from the passage of this act, or if said corporation shall fail to complete said road within four years from the passage of this act, then this act shall be void.

Union of this corporation with a similar corporation in Connecticut.

SECTION 8. The persons who shall become stockholders in the New London, Willimantic, and Springfield Railroad Company, incorporated by the legislature of the State of Connecticut, in the year one thousand eight hundred and forty-seven, may, by vote duly passed at a legal meeting, and with the consent of the corporation hereby created, become stockholders of said last-named corporation, and thereupon said two corporations shall become united into one corporation, by the name of the New London, Willimantic, and Palmer Railroad Corporation, with a capital not exceeding the amount of the joint capital of both corporations; and all the tolls, franchises, rights, powers, privileges, and property, granted or to be granted, acquired or to be acquired, under the authority of the State of Connecticut or of this State, shall be held and enjoyed by all the said stockholders, in proportion to their number of shares in either or both of said corporations.

To act as one corporation after union.

SECTION 9. After the said union shall have been perfected, the said stockholders shall hold their meetings, make their by-laws, appoint their officers, and transact all their business, as one corporation: *provided*, that one or more of the officers of said corporation shall be resident in this Commonwealth, and one or more of them in the State of Connecticut, on whom process against said corporation may, if the legislature of the State of Connecticut shall concur in this provision, be legally served in either state; and said corporation shall be held to answer within the jurisdiction where such service shall be made, and where the process may be returnable.

Provido.

SECTION 10. The share or shares of any stockholder, in said corporation, shall, if the legislature of the State of Connecticut shall concur in this provision, be liable to attachment, and to be taken on execution, in the State where such stockholder shall reside at the time of the service of such process: *provided*, that the laws of such State authorize the attachment and taking on execution of such property; and an attested copy of such writ or execution, and of the return of the officer thereon, shall, at the time of such service, be left with the clerk, or a director of said corporation, or at his usual place of abode, by the officer making the service.

Attachment of shares.

Proviso.

SECTION 11. Said corporation shall so make out and keep an account of the expenditures on said road, from its commencement to its completion, as clearly to exhibit what portion thereof may belong to that part of said road situated in Massachusetts, and what portion to that part in Connecticut. And two commissioners may be appointed, one by the governor of each State, to hold their offices for the term of four years, and to be reasonably compensated for their services by said corporation, who shall ascertain what proportion of expenditures on said road, and of all expenses attending its construction, maintenance, and use, and also what proportion of the receipts and profits of said railroad, shall properly appertain and belong to the portions of said road in each State respectively. And the annual report, required to be made by the directors to the legislature of this Commonwealth, shall be approved by the said commissioners.

Distinct accounts of expenditures in each State.

Commissioners.

SECTION 12. Said corporation, so far as their road may be situated in Massachusetts, shall be subject to the general laws of this State, to the same extent as if their road were wholly therein.

United corporation subject to the laws of Massachusetts, how far.

SECTION 13. This act shall take effect from and after its passage: *provided*, that the eighth, ninth, tenth, and eleventh sections of this act shall not take effect, until the legislature of the State of Connecticut shall have enacted provisions similar to those contained in said sections; nor until the provisions so enacted in each State shall have been accepted by the stockholders of each of said corporations, at meetings duly called for the purpose; nor until the same shall have been accepted by the stockholders of said united corporation, at a meeting called for the purpose, at which meeting they may ratify and confirm all or any of their former doings, and may adopt them as the acts and doings of said united corporation. [*Approved by the Governor, April 10, 1848.*]

This act, how and when to take effect.