

HOUSE No. 1382

By Mr. Lamson of Malden, petition of Fred I. Lamson for legislation to require the election of two members of the board of trustees of the Boston Elevated Railway Company. Metropolitan Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Seven.

AN ACT REQUIRING THE ELECTION OF TWO MEMBERS OF
THE BOARD OF TRUSTEES OF THE BOSTON ELEVATED
RAILWAY COMPANY.

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

1 Chapter 159 of the Special Acts of 1918 is hereby
2 amended by striking out section 1 and inserting in
3 place thereof the following:—

4 *Section 1.* The board of trustees of the Boston
5 Elevated Railway Company is hereby created, to
6 consist of five persons, three of whom shall be ap-
7 pointed by the governor, with the advice and consent
8 of the council. The persons so appointed shall be
9 sworn before entering upon the performance of their
10 duties; shall own no stock or other securities of the
11 Boston Elevated Railway Company or of any com-
12 pany owned, leased or operated by it; shall serve for
13 the term of ten years from the date when they assume
14 the management of the company as hereinafter pro-

15 vided and until their successors are duly appointed and
16 qualified, and each shall receive from the company
17 as compensation for his services five thousand dollars
18 annually. In case of the death, resignation or removal
19 of any person so appointed, the governor, by and with
20 the consent of the council, shall fill the vacancy. The
21 board shall designate one of the trustees so appointed
22 to serve as chairman. Any member of the board may
23 be removed for cause by the governor, with the advice
24 and consent of the council.

25 Each of the two members of the board who are not
26 so appointed shall be elected for a term of four years
27 by the voters of the cities and towns served by said
28 company, at the state election in the year 1948 and
29 every fourth year thereafter.

30 Said trustees shall not be considered public officers
31 within the meaning of section twenty-five of chapter
32 five hundred and fourteen of the acts of nineteen
33 hundred and nine, but shall be subject in all other
34 respects to the provisions of said section to the same
35 extent as are the directors of the Boston Elevated
36 Railway Company, but said section shall not apply to
37 recommendations by the governor to said trustees.
38 The provisions of section one of chapter seven of the
39 Revised Laws shall not apply to the said board.

40 Said trustees shall assume the management and
41 operation of the company's property on the first day
42 of the month next following their appointment, or
43 election, and qualification.