

SENATE No. 173.

Commonwealth of Massachusetts.

SENATE, March 15, 1880.

The Committee on Railroads, to whom was referred the petition of the Massachusetts Central Railroad Company for authority to cross the Lexington and Arlington Railroad at grade, to locate its road upon portions of the locations of certain other roads, and for any further legislation that may be necessary to enable said company to construct its road, report that the accompanying Bill ought to pass.

For the Committee,

OLIVER AMES.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty.

AN ACT

To enable the Massachusetts Central Railroad to cross the Lexington and Arlington Railroad at grade, and to change the location of certain portions of its Road.

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

1 SECTION 1. Section two of chapter two hundred
2 and fifty-three of the acts of the year eighteen
3 hundred and seventy-nine is hereby amended so far
4 as to authorize the Massachusetts Central Railroad
5 Company to so locate and construct its railroad as to
6 cross the railroad formerly of the Lexington and
7 Arlington Railroad Company, now the property of
8 the Boston and Lowell Railroad Corporation, in the
9 city of Cambridge, at the same level therewith:
10 *provided* said Massachusetts Central Railroad Com-
11 pany shall first obtain the consent, in writing, of the

12 board of railroad commissioners thereto, in accord-
13 ance with chapter three hundred and seventy-two of
14 the acts of the year eighteen hundred and seventy-
15 four.

1 SECT. 2. The Massachusetts Central Railroad
2 Company is hereby authorized to locate and con-
3 struct its railroad over and upon such portion of the
4 location of the Ware River Railroad Company as it
5 may hereafter acquire by agreement with said Ware
6 River Railroad Company, and over and upon such
7 portion of the location of the New London Northern
8 Railroad Company as it may hereafter acquire by
9 agreement with said New London Northern Rail-
10 road Company: *provided, however,* that before any
11 change is made in its location under this act, the
12 said Massachusetts Central Railroad Company shall
13 give a bond, with sufficient sureties, to the parties in
14 interest, to pay all damages already caused by the
15 acts of the railroad upon the portion of the location
16 which may be discontinued under this act, the said
17 bond to be approved by the county commissioners of
18 the county where the land is situated; or shall pay
19 said damages within six months from the passage of
20 this act.

1 SECT. 3. The Ware River Railroad Company is
2 hereby authorized to relocate and construct its rail-
3 road, and the New London Northern Railroad Com-
4 pany is hereby authorized to relocate and construct
5 its railroad, so far as the same shall become neces-
6 sary to either company by reason of any agreement

7 made in pursuance of section two of this act: and,
8 *provided*, that such relocation and construction shall
9 be made in accordance with law.

1 SECT. 4. This act shall take effect upon its pas-
2 sage.