

HOUSE.... No. 217.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 10, 1868.

The Committee on Horse Railways, to whom was referred the Bill entitled "An Act to incorporate the South Boston Freight Railway Company," report that it ought to pass.

Per order of the Committee,

CHAS. H. BLANCHARD.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-
Eight.

AN ACT

To incorporate the South Boston Freight Railway
Company.

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

1 SECT. 1. John H. Reed, Thornton K. Lothrop,
2 J. Avery Richards, their associates and successors,
3 are hereby made a corporation by the name of the
4 South Boston Freight Railway Company; with all
5 the privileges, and subject to all the duties,
6 restrictions and liabilities set forth in the general
7 laws which now are or hereafter may be in force
8 relating to street railway corporations, so far as they
9 may be applicable.

1 SECT. 2. Said corporation, in such manner as may
2 be prescribed and directed by the board of aldermen

3 of the city of Boston, may construct, maintain and
4 use a street railway, with suitable turnouts, and with
5 such tracks and branch tracks as the board of alder-
6 men may from time to time permit: the rails of said
7 tracks to be of such pattern as the board of alder-
8 men may prescribe, and to be also suitable for railway
9 freight cars in common use; commencing on the
10 easterly end of First street in South Boston, thence
11 through First street to I street, thence through I street
12 to Second street, thence through Second street to
13 Dorchester street, thence across Dorchester street to
14 to First street, thence through First street to Dorches-
15 ter avenue, thence across Dorchester avenue, Foundry
16 street and the square between said street and avenue,
17 to land of the Old Colony and Newport Railroad
18 Company, there to connect with the tracks of said
19 railroad, in such manner and on such terms as
20 may be mutually agreed upon, and with the right to
21 connect with the tracks of the Boston, Hartford and
22 Erie Railroad Company, in such manner and on such
23 terms as may be mutually agreed upon; also com-
24 mencing at the junction of First and Granite streets,
25 thence through Granite street to Mount Washington
26 avenue, thence through Mount Washington avenue
27 to Federal street, and thence on Federal street to East
28 street, there to connect with the tracks of the Mar-
29 ginal Freight Railroad Company.

1 SECT. 3. Said corporation may, for the authorized
2 purposes of this act, enter upon and use the tracks
3 of the Broadway and Metropolitan Railroad Compa-
4 nies in Federal street, between said Mount Washing-
5 ton avenue and East street, and may so strengthen

6 and improve such tracks as to make them suitable
7 for the transportation of freight; and if the corpora-
8 tions cannot agree upon the manner and conditions
9 of such entry and use, or the compensation to be
10 paid therefor, the same shall be determined in accord-
11 ance with the provisions of the twenty-ninth section
12 of chapter two hundred and twenty-nine of the acts
13 of eighteen hundred and sixty-four; but said corpo-
14 ration shall have no power to connect with or run
15 over the tracks of any street railway other than the
16 Marginal Freight Railway Company and the Broad-
17 way and Metropolitan Railway Companies, as author-
18 ized in this section.

1 SECT. 4. Said railway shall be used by said corpo-
2 ration for the transportation of freight only, and the
3 cars thereon shall be drawn by horse-power only,
4 unless the use of other motive-power shall be sanc-
5 tioned by said board of aldermen; and said corpora-
6 tion shall have power to fix such tolls for the trans-
7 portation of freight as they may from time to time
8 deem expedient: *provided*, that such tolls shall only
9 be sufficient to pay the expenses of said corporation,
10 and to pay a dividend of five per cent. semi-annually
11 upon the capital stock of said corporation.

1 SECT. 5. Said corporation, to carry into effect the
2 purposes of this act, may unite with any railway cor-
3 poration on such terms as may be mutually agreed,
4 and for this purpose shall be entitled to all the rights
5 and privileges, and shall be subject to all the duties,
6 liabilities and restrictions set forth in the sixty-third
7 chapter of the General Statutes and the laws supple-
8 mental thereto, so far as the same be applicable.

1 SECT. 6. Said corporation shall keep in repair, to
2 the satisfaction of the superintendent of streets of
3 the city of Boston, all the paving between their rails
4 and three feet outside thereof on each side; and the
5 board of aldermen of the city of Boston shall have
6 full power to regulate the time and manner of running
7 cars on said railway.

1 SECT. 7. The capital stock of said corporation shall
2 not exceed three hundred thousand dollars.

1 SECT. 8. This act shall take effect as soon as it
2 shall be accepted by the board of aldermen of the
3 city of Boston.

I think we shall not be able to do more than to keep in view the interests of the community at large and to see that the public interest is not sacrificed to the interests of any particular class or individual.

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