

HOUSE No. 2748

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 16, 1941.

The committee on Metropolitan Affairs, to whom was referred the message from His Excellency the Governor recommending an appropriation to permit the Attorney General to bring suit for a declaratory judgment to determine the proper method of assessing depreciation by the Public Trustees of the Boston Elevated Railway Company or for legislation to provide public ownership for the metropolitan transportation system now operated by said trustees (House, No. 2627), report the accompanying resolve (House, No. 2748).

For the committee,

JOSEPH A. MILANO.

Senator BERNARD L. SULLIVAN, and Representatives WHITON of Quincy, CAPPUCCI of Boston and McMORROW of Boston, dissenting.

The Commonwealth of Massachusetts

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

RESOLVE PROVIDING FOR THE EXPENSE OF BRINGING A LEGAL PROCEEDING FOR A DECLARATORY JUDGMENT, ORDER OR DECREE INTERPRETING CERTAIN PROVISIONS OF LAW RELATIVE TO PUBLIC CONTROL OF THE BOSTON ELEVATED RAILWAY COMPANY.

1 *Resolved*, That the attorney general may expend,
2 for the purpose of bringing a legal proceeding seeking
3 a declaratory judgment, order or decree interpreting
4 the provisions of chapter one hundred and fifty-nine
5 of the Special Acts of nineteen hundred and eighteen,
6 as amended, pertinent to the authority of the board
7 of trustees of the Boston Elevated Railway Company
8 to make charges to the cost of service on account of
9 depreciation, and their accounting duties incidental
10 to such charges, a sum not exceeding seventy-five
11 thousand dollars, to be hereafter appropriated, and
12 to be assessed upon the cities and towns using the
13 service of said company in the year nineteen hundred
14 and forty, in the same proportions in which the de-
15 ficiency paid by the commonwealth to said company
16 was assessed upon them in said year.