

By Mr. Coyne of Boston, petition of Francis X. Coyne that the Boston Elevated Railway Company be directed to sell to the Commonwealth through the Department of Public Utilities the assets, property and franchises of said company. Metropolitan Affairs and Street Railways, sitting jointly. Jan. 23.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Twenty-Eight.

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An Act providing for the Purchase by the Commonwealth of the Property and Franchises 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 SECTION 1. The Boston Elevated Railway Com-  
2 pany shall sell, and the commission of the depart-  
3 ment of public utilities shall, in the name and on be-  
4 half of the commonwealth, purchase the whole  
5 assets, property and franchises of said Boston  
6 Elevated Railway Company as a going concern  
7 under the option and on the terms provided in  
8 section sixteen of chapter one hundred and fifty-  
9 nine of the Special Acts of nineteen hundred and  
10 eighteen.

1 SECTION 2. Upon the purchase of said assets,  
2 property and franchises, the commonwealth shall  
3 assume all the outstanding indebtedness and  
4 liabilities of said company, and, until otherwise

5 provided for, the board of trustees of the Boston  
6 Elevated Railway Company appointed under sec-  
7 tion one of said chapter one hundred and fifty-nine  
8 shall, on behalf of the commonwealth, manage and  
9 operate the property so purchased, and for said  
10 purpose the term of service of said board of  
11 trustees shall be extended and said board shall, so  
12 far as consistent with the general purposes of this  
13 act, have all the powers and duties heretofore con-  
14 ferred and imposed upon it.

1 SECTION 3. The state treasurer shall, upon re-  
2 quest of the commission of the department of public  
3 utilities, issue and sell at public or private sale  
4 bonds of the commonwealth, registered or with  
5 interest coupons attached, as he may deem best,  
6 to an amount to be specified from time to time by the  
7 said commission, sufficient to provide means for the  
8 purchase of the property herein authorized and the  
9 necessary expenses incurred by the commission in  
10 connection therewith, but not in excess of  
11 dollars. All such bonds shall be designated on their  
12 face, Boston Elevated Railway Purchase Loan, and  
13 shall be on the serial payment plan for such maxi-  
14 mum term of years as the governor may recom-  
15 mend to the general court, in accordance with sec-  
16 tion three of Article LXII of the amendments to the  
17 constitution of the commonwealth, the maturities  
18 thereof to be so arranged that the amount payable  
19 each year shall, as nearly as is in the opinion of the  
20 state treasurer practicable, be the same, and shall  
21 bear interest payable semi-annually at such rate as  
22 the state treasurer, with the approval of the gov-  
23 ernor and council, shall fix. There shall be annually

24 appropriated a sum equal to the amount of the  
25 franchise tax paid by the Boston Elevated Railway  
26 Company in the year nineteen hundred and twenty-  
27 seven and the amount of dividends paid to stock-  
28 holders of said company during the year nineteen  
29 hundred and twenty-seven which amount so appro-  
30 priated shall be set apart as a sinking fund to be  
31 applied to the payment of the principal and interest  
32 upon said bonds. Any premium received upon the  
33 sale of said bonds shall be used in the retirement  
34 or purchase thereof.

