

HOUSE No. 254

By Mr. Soble of Boston, petition of James M. Curley, mayor, for an amendment of the law relative to the maintenance by the cities of Boston and Cambridge, the town of Watertown and the Boston Elevated Railway Company of the Cottage Farm, River Street, Western Avenue and Arsenal Street Bridges over the Charles River Basin. Metropolitan Affairs.

The Commonwealth of Massachusetts

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

An Act providing for the Care, Control and Maintenance of the Western Avenue Bridge, River Street-Brighton Bridge, Brookline Street-Essex Street-Cottage Farm Bridge between the Cities of Boston and Cambridge.

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. Chapter four hundred and ninety-
2 seven of the acts of nineteen hundred and twenty-
3 one is hereby amended by striking out section four-
4 teen and inserting in place thereof the following new
5 section: —

6 *Section 14.* When the said bridge or bridges and
7 approaches or any of them between Cambridge and
8 Boston are completed and all work contemplated by
9 this act has been performed on any or all of said
10 bridges, said bridges shall be policed and main-

11 tained by the cities of Boston and Cambridge and
12 the care, control and management of said bridge
13 or bridges and their approaches or any of them
14 shall vest in the board of two commissioners ap-
15 pointed under the provisions of section fourteen of
16 chapter four hundred and sixty-seven of the acts
17 of eighteen hundred and ninety-eight, who shall
18 support, manage and keep in repair said bridges,
19 except that part of the wearing surface of said
20 bridges occupied by any street railway company
21 granted a location thereon within its tracks, and
22 eighteen inches on either side thereof which shall
23 be kept in repair by said street railway company,
24 and exclusively authorize poles, wires, street railway
25 tracks and other structures to be placed on any or
26 all of the same in such places as said board may
27 deem proper; and each city shall appropriate one-
28 half of the amount required for such maintenance,
29 excepting that portion that is to be maintained by
30 any street railway company, policing, support, man-
31 agement and repairs as determined by said board
32 and by the mayors of said cities; and all damages
33 recovered in any action at law by reason of any de-
34 feet or want of repair in any such bridge or draw
35 shall be paid by said cities equally.

1 SECTION 2. Said chapter four hundred and
2 ninety-seven of the acts of nineteen hundred and
3 twenty-one is further amended in section fifteen by
4 striking out said section fifteen and inserting in
5 place thereof the following new section:—

6 *Section 15.* The street railway company or com-
7 panies having a location on any of said bridges
8 shall at its or their own expense maintain and keep

9 in repair that part of the wearing surface of said
10 bridges and their approaches occupied by said com-
11 pany or companies within its or their tracks and
12 eighteen inches on either side thereof; and said
13 company or companies shall be liable for all dam-
14 ages recovered in any action at law by reason of
15 any defect or want of repair in that part of said
16 bridges and their approaches which it or they are
17 required to maintain and keep in repair. The town
18 of Watertown shall, at its own expense, maintain
19 and keep in repair that part or parts of said bridge
20 and its approaches lying in said town, exclusive of
21 that part which the street railway company or com-
22 panies are required to maintain and keep in repair,
23 and shall pay all damages recovered in any action
24 at law by reason of any defect or want of repair in
25 said part or parts.

1 SECTION 3. This act shall take effect upon its
2 acceptance by the city of Boston by vote of the city
3 council subject to the provisions of its charter, and
4 upon the acceptance by the city of Cambridge by
5 vote of the city council of said city, with the ap-
6 proval of the mayor.

