

# SENATE . . . . No. 529

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## The Commonwealth of Massachusetts.

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SENATE, May 8, 1913.

The committee on Railroads, to whom was referred the petition (with accompanying bill, House, No. 335), of the Boston and Maine Railroad for legislation to authorize it to operate four tracks through the city of Salem and to electrify its railroad between the cities of Boston and Beverly, report the accompanying bill.

For the committee,

CALVIN COOLIDGE.

[Mr. PRIEST of the House dissents.]

## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

### AN ACT

Relative to the Abolition of Grade Crossings in the City of Salem.

*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. In the proceedings for the abolition of the  
2 grade crossings of Mill, Norman, Bridge and North streets  
3 with the Boston and Maine Railroad in the city of Salem,  
4 the commission heretofore appointed by the superior court  
5 is hereby authorized to include in its report provisions for  
6 additional changes and alterations of the public ways and  
7 of the railroad in accordance with the plan, copy of which is  
8 filed with the secretary of state and marked "Boston and  
9 Maine Railroad, First Division, Main Line, Elimination of  
10 grade crossing and 3rd and 4th tracks at Salem, Salem,  
11 Mass., 3.20. 1913", and said commission is hereby authorized  
12 to make such further changes in said plan as may be agreed  
13 upon by the city of Salem acting through its city engineer,  
14 the commonwealth of Massachusetts acting through the  
15 attorney general, the Boston and Maine railroad acting by  
16 its president and the Bay State Street Railway Company  
17 acting by its president; the cost of all such changes and

18 alterations, both those included in said plan and those  
19 which may be further agreed upon in the manner just de-  
20 scribed, in excess of the cost of the abolition of the crossings  
21 shall be borne by the Boston and Maine railroad, and the  
22 Boston and Maine railroad shall also pay sixty-five per cent  
23 of the cost of the abolition of the crossings; of the remaining  
24 thirty-five per cent the city of Salem shall pay the sum of  
25 one hundred and fifty thousand dollars, said sum being  
26 full payment on the part of said city of its portion of the  
27 total actual cost of all changes and alterations ordered by  
28 said commission and incurred for construction, land damages  
29 or otherwise, and the balance shall be paid by the common-  
30 wealth and the Bay State Street Railway Company: *pro-*  
31 *vided, however,* that the proportion to be paid by the Bay  
32 State Street Railway Company shall not exceed fifteen per  
33 cent of the cost of abolishing the grade crossing of North  
34 street with the Boston and Maine railroad. Except as  
35 otherwise provided in this act, all proceedings before the  
36 said commission and in carrying out its report, not only as  
37 to the abolition of the crossings but also as to the further  
38 changes and alterations herein provided for or which may  
39 be hereinafter agreed upon, shall be in accordance with the  
40 provisions of sections twenty-nine to forty-five, inclusive,  
41 of part I, chapter four hundred and sixty-three of the acts  
42 of nineteen hundred and six, and acts in amendment thereof  
43 and in addition thereto.

1 SECTION 2. This act shall take effect upon its passage.

