

HOUSE . . . . . No. 501.

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Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, April 29, 1891.

The committee on Railroads, to whom was referred the petition of J. Q. Adams and others for an act of incorporation as the Quincy Electric Freight Railway Company, report the accompanying Bill.

For the Committee,

FREDERIC W. BLISS.

## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Ninety-one.

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### AN ACT

To Incorporate the Quincy Electric Freight 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. John Q. Adams, Henry L. Hig-  
2 ginson, Charles H. Porter, Wm. G. A. Pattee,  
3 Philip L. Saltonstall, George E. Armstrong, John  
4 R. Graham, their associates and successors, are  
5 hereby made a corporation under the name of the  
6 Quincy Electric Freight Railway Company, for  
7 the purpose of locating, constructing and operat-  
8 ing a railway with electric motive power, for the  
9 transportation of freight in the city of Quincy  
10 and vicinity, with all the powers and privileges,  
11 and subject to all the restrictions, duties and lia-  
12 bilities created by the general laws, which now  
13 are or hereafter may be in force, relating to street  
14 railways and railroads, as far as the same may be  
15 applicable under the provisions of this act.

1    SECT. 2.   The location of said railway shall be  
2 subject to the approval of the city council of the  
3 city of Quincy, so far as the said railway is located  
4 in the streets of said Quincy, except so far as  
5 herein otherwise provided, in substantial con-  
6 formity with the following routes, viz.: beginning  
7 at a point on the northwesterly side of Weymouth  
8 Fore river, near the stone derrick, in that part of  
9 said Quincy, known as Quincy point, thence run-  
10 ning over private lands and a private way called  
11 Wharf street to Washington street, thence west-  
12 erly on said Washington street to a point near  
13 South street, thence over private land to South  
14 street, thence over South street and Howard  
15 street to the head of Bent's creek, so called,  
16 thence westerly, southwesterly and westerly over  
17 private lands, crossing said South street in two  
18 places, to New road, thence over said New road  
19 to Quincy avenue and across said Quincy avenue  
20 to private lands, thence over private lands cross-  
21 ing Phipps street to Franklin street at its inter-  
22 section with Independence avenue, thence cross-  
23 ing said Frankin street and along Independence  
24 avenue in a southwesterly direction to a point  
25 nearly opposite the pumping station of the  
26 Quincy Water Company, thence in a westerly  
27 direction over private lands and underneath the  
28 tracks of the Old Colony Railroad Company to  
29 land of the Quincy Water Company, thence over  
30 lands of the Quincy Water Company and private  
31 lands in a northerly direction to Liberty street  
32 near its intersection with Brooks road, so called,

33 crossing Lawyers lane, thence across Liberty  
34 street, making a turn to the left and running over  
35 private lands in a general northwesterly course,  
36 nearly parallel with Brooks avenue, and across  
37 Intervale street to Centre street, near its junction  
38 with Albertina street, thence across Centre street  
39 and along Albertina street, in a general westerly  
40 course for about three hundred feet, thence in a  
41 northwesterly direction over private lands to Sta-  
42 tion street, thence along Station street, and across  
43 the location and tracks of the Granite branch of  
44 the Old Colony Railroad Company, by means of  
45 an overhead bridge at said Station street, thence  
46 over private lands in a northwesterly direction to  
47 West street, near Doble street, so called, thence  
48 across West street and over private lands to  
49 Willard street, near a private road leading to the  
50 quarries, thence along said Willard street in a  
51 northerly direction to the West Quincy station of  
52 the Granite branch of the Old Colony Railroad  
53 Company, but not crossing the tracks of said  
54 railroad company.

55 Then beginning on Willard street, near said  
56 West Quincy station, on the northerly side of the  
57 tracks of said railroad company, thence along  
58 Willard street to Rogers street, thence along  
59 Rogers street for a short distance, thence in a  
60 northeasterly and easterly direction over private  
61 lands and across a branch of Furnace Brook to  
62 Common street, thence across Common street and  
63 along Quarry, Granite, School and Marsh streets  
64 to the yard of the Old Colony Railroad company  
65 near the Quincy Adams station.

66 Also a branch which leaves the main line at the  
67 junction of School and Pleasant streets and runs  
68 along Pleasant street to Water street, thence  
69 along Water street, crossing the tracks and loca-  
70 tion of the Quincy and Boston Street Railway  
71 Company and over private lands to Liberty street,  
72 thence along Liberty street to a junction with the  
73 main line near Brooks road, so called, together  
74 with all the necessary side tracks and spur tracks  
75 to the various quarries, stone sheds, polishing  
76 shops and other business establishments along the  
77 line, but said Quincy Electric Freight Railway  
78 Company shall not take any land of the Old  
79 Colony Railroad Company, nor cross its location  
80 at grade, without its consent and the consent of  
81 the railroad commissioners.

1 SECT. 3. Said corporation may locate, con-  
2 struct and operate its railway, with convenient  
3 double or single tracks and all necessary sidings  
4 and spur tracks, upon and over the streets and  
5 ways in the city of Quincy hereinbefore named,  
6 and upon and over such other streets and ways as  
7 may from time to time be determined by the city  
8 council of said city, and may erect and use such  
9 poles and wires, and make such alterations in  
10 streets as said city council shall approve.

11 The proceedings for the fixing of the route,  
12 location and construction of said railway in the  
13 streets and public ways of said city and keeping  
14 the same in repair shall be similar to those pre-  
15 scribed by general laws in relation to street rail-  
16 ways, except as herein otherwise provided.

1 SECT. 4. Said corporation may locate, con-  
2 struct and operate its railway, with convenient  
3 double or single tracks and necessary sidings and  
4 spur tracks over the route substantially herein-  
5 before described, and for such purpose may take  
6 and hold by purchase or otherwise all necessary  
7 real estate. It may acquire by purchase all  
8 necessary real estate for its freight yards, power  
9 stations and other uses incidental to the proper  
10 maintenance of its railway.

11 The proceedings for the fixing of the route, loca-  
12 tion and construction of said railway over all the  
13 route lying outside of the streets and public ways  
14 of said city, and for the taking of private prop-  
15 erty therefor, shall be similar to those prescribed  
16 by general law in relation to railroads, except as  
17 herein otherwise provided.

1 SECT. 5. The location of said railway, outside  
2 of public streets and ways, shall not exceed fifty  
3 feet in width, and the gauge of the track shall be  
4 four feet eight and one-half inches throughout.

1 SECT. 6. Said corporation may unite its tracks  
2 with those of the Old Colony Railroad Company,  
3 with the consent of the latter, and may enter into  
4 arrangements with said company for the handling  
5 of its cars and general transaction of business.

1 SECT. 7. The Quincy and Boston Street Rail-  
2 way Company may enter upon and unite its tracks  
3 with and use the location and tracks of the

4 Quincy Electric Freight Railway Company upon  
5 Washington street from Wharf street to South  
6 street in said Quincy upon such terms and condi-  
7 tions as may be prescribed by the city council of  
8 the city of Quincy.

1 SECT. 8. Said corporation shall not lay out or  
2 construct its road or any part thereof, until the  
3 certificate required by section eighty-six chapter  
4 one hundred and twelve of the Public Statutes  
5 shall have been filed with the secretary of the  
6 Commonwealth, whereupon said corporation may  
7 proceed to organize in accordance with the pro-  
8 visions of the first clause of section forty-five of  
9 said chapter.

10 For the purpose of carrying out all provisions  
11 of law preliminary to said organization, the incor-  
12 porators herein named and their associates shall  
13 elect from their number a provisional board of  
14 nine directors, who shall appoint a clerk and  
15 treasurer.

1 SECT. 9. The capital stock of said corpora-  
2 tion shall be three hundred thousand dollars, but  
3 may be increased or decreased, in accordance  
4 with the general law applicable to street railways,  
5 and in all other matters, not herein otherwise  
6 provided, the general law controlling said corpora-  
7 tion shall be that governing street railways as far  
8 as applicable.

1 SECT. 10. Said corporation may from time to  
2 time by the vote of the majority in interest of its

3 stockholders issue coupon or registered bonds to  
4 an amount not exceeding one hundred and fifty  
5 thousand dollars, for a term not exceeding twenty  
6 years from the date thereof, provided that no  
7 issue of bonds shall be made unless there shall  
8 have' been actually paid in an amount of the  
9 capital stock equal to the amount of such issue.  
10 To secure payment of such bonds with interest  
11 thereon, the said corporation may make a mort-  
12 gage of its road and franchise and any part of its  
13 other property, and may include in such mortgage  
14 property thereafter to be acquired, and may  
15 therein reserve to its directors the right to sell or  
16 otherwise in due course of business to dispose of  
17 property included therein, which may become  
18 worn, damaged or unsuitable for use, in the  
19 operation of its road, provided that an equivalent  
20 in value be substituted therefore.

21 The bonds issued shall first be approved by  
22 some person appointed by the corporation for  
23 that purpose, who shall certify upon each bond  
24 that it is properly issued and recorded.

1 SECT. 11. Unless said corporation begins and  
2 substantially completes the construction of its  
3 road within three years from the passage of this  
4 act its corporate powers and existence shall be at  
5 an end.

1 SECT. 12. This act shall take effect from and  
2 after its passage.