

HOUSE No. 428.

[Bill accompanying the petition of Wellington Smith and others for legislation to authorize the Central Berkshire Street Railway Company to extend its railway in the town of Lenox adjoining and upon such locations as may be granted by the selectmen, and to lease, purchase and take private land in said town. Street Railways. Jan. 29.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

To authorize the Central Berkshire Street Railway Company to extend its Railway in the Towns of Lenox and Lee.

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 Central Berkshire Street
2 Railway Company is hereby authorized to con-
3 struct, maintain and operate its railway in the
4 towns of Lenox and Lee upon locations that may
5 be granted by the selectmen of said towns.

1 SECTION 2. The said company may construct,
2 maintain and operate its railway on private lands

3 in the towns of Lenox and Lee aforesaid with the
4 consent of the owners thereof, or on which it may
5 lease, purchase or hold for said purpose, and on
6 such land as it may acquire under the provisions
7 of this act.

1 SECTION 3. Said railway company may take
2 land for the purposes of said railway not exceeding
3 fifty feet in width outside the limits of a public
4 way, provided that no land shall be so taken
5 which cannot be lawfully taken for the laying out
6 of a railroad, nor until a plan made on an appro-
7 priate scale and showing by metes and bounds
8 the land proposed to be so taken with the names
9 of the owners thereof, after notice to such owners,
10 and after public notices and hearings, such as are
11 required in the case of a location upon a public
12 way, has been approved in writing by the boards
13 of selectmen of said towns of Lenox and Lee.

1 SECTION 4. A deed or description, with a plan
2 of the land so purchased or taken, shall be filed
3 in the registry of deeds for the middle district of
4 Berkshire county, and the provisions of the
5 general laws relative to the assessment and pay-
6 ment or recovery of damages for lands and other
7 property taken for railroad purposes shall apply
8 with respect to all lands and property taken under
9 the provisions of this act.

1 SECTION 5. The said railway company where
2 any part of the extension hereby authorized is

3 outside the limits of public ways shall, with
4 respect to the equipment, use and operation of its
5 railway and transportation thereon, be subject to
6 all general laws now or hereafter in force relating
7 to street railways and street railway companies as
8 fully as if its railway were located wholly in the
9 limits of public ways.

1 SECTION 6. This act shall take effect upon its
2 passage.

