

# SENATE . . . . . No. 159.

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To accompany the petition of John W. Beals that he and his associates be incorporated as the East Boston Railroad Company, Railroads.

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

### AN ACT

To incorporate the East Boston Railroad 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 W. Beals, Frank Owen White,  
2 J. Murray Howe, Marland L. Pratt, Robert G.  
3 Dodge, Ernest W. Bowditch, John L. Lothrop,  
4 Gardner Beals, Ellerton P. Whitney, Robert J. Kis-  
5 sock, Frederick L. McGowan, Frederick C. White,  
6 Henry H. Richardson, Arthur Wainwright and Jo-  
7 seph D. Dillworth, their associates and successors,  
8 are hereby made a corporation by the name of the  
9 East Boston Railroad Company, subject to all the  
10 general laws which now are or may hereafter be in  
11 force relating to railroad corporations so far as  
12 the same are applicable and not inconsistent here-  
13 with.

1 SECTION 2. The capital stock of said corporation  
2 shall not exceed five hundred thousand dollars, and

3 shall be divided into shares of one hundred dollars  
4 each.

1 SECTION 3. Said corporation may issue coupon  
2 or registered bonds to an amount which, including  
3 that of bonds previously issued, shall not exceed in  
4 the aggregate the capital stock of the corporation  
5 actually paid in at the time. Said bonds may be  
6 issued for any purpose for which the corporation  
7 may lawfully spend money, and said corporation  
8 may, as security for the payment thereof, mortgage  
9 or pledge its franchises and any of its real or per-  
10 sonal property and property thereafter acquired  
11 by it.

1 SECTION 4. No bonds or stock shall be issued  
2 under the provisions of this act until the issue shall  
3 have been approved by the board of railroad com-  
4 missioners in the manner provided for the approval  
5 of the issue of bonds or stock of railroad corpora-  
6 tions in chapter four hundred and sixty-three of the  
7 acts of nineteen hundred and six and acts in amend-  
8 ment thereof and in addition thereto.

1 SECTION 5. Said corporation may locate, con-  
2 struct, maintain and operate a railroad by steam  
3 power or electricity for the transportation of freight  
4 only, upon and over the following location, to wit:—  
5 Starting at a point west of Border street near  
6 the corner of New street and Summer street, thence  
7 in and through private land generally parallel to  
8 and close to Border street, northerly to a point in  
9 or over the flats near the southerly side of the chan-  
10 nel of Chelsea creek, thence by a continuation of a  
11 necessary curve over and across the Meridian street

12 Chelsea bridge, and thence southeasterly and after-  
13 wards easterly or northeasterly in and through  
14 private lands and flats and lands of the city of Bos-  
15 ton lying north of Condor street and East Eagle  
16 street; thence under Chelsea street and in and un-  
17 der private land and under Bremen street to the  
18 tracks of the Boston and Albany Railroad Com-  
19 pany; and may construct such branches, spurs, sid-  
20 ings, turnouts, connections, switches, terminal  
21 tracks and extensions in connection with the loca-  
22 tion above set forth as may be authorized by the  
23 board of railroad commissioners.

1 SECTION 6. Said corporation shall not lay its  
2 tracks in any public way in the city of Boston until  
3 the location therein shall have been approved by  
4 the aldermen of the city. Said corporation may  
5 vary or alter the location described in section five  
6 of this act with the approval of the aldermen of the  
7 city of Boston.

1 SECTION 7. Said corporation may buy, pur-  
2 chase or otherwise take land outside the limits of  
3 public ways for the purpose of constructing its rail-  
4 road, buildings, shops, stations and houses or other  
5 structures necessary for the location, construction,  
6 maintenance or operation of said railroad and pro-  
7 viding necessary and convenient terminals, and for  
8 such purpose may take any land in the same man-  
9 ner in which land may be taken for railroad pur-  
10 poses in chapter four hundred and sixty-three of  
11 the acts of nineteen hundred and six and acts in  
12 amendment thereof and in addition thereto. Said  
13 corporation shall pay all damages occasioned by

14 such taking, and such damages shall on application  
15 of either party be estimated and determined in the  
16 manner provided in said chapter four hundred and  
17 sixty-three of the acts of nineteen hundred and six  
18 and acts in amendment thereof and in addition  
19 thereto in the case of railroad corporations.

1 SECTION 8. Said corporation may construct such  
2 tunnels upon the route aforesaid as may be neces-  
3 sary to enable it to go under and cross any of the  
4 land or any of the streets included in the location  
5 set forth in section five, and is hereby authorized  
6 to construct such bridges as may be necessary to  
7 enable it to cross any street and such other bridges  
8 as may be necessary to enable it to construct its  
9 tracks over flats or over any tide water: *provided*,  
10 *however*, that all such bridges and all such tunnels  
11 and the plans therefor shall be approved by the  
12 board of harbor and land commissioners or the  
13 board of railroad commissioners as provided in  
14 said chapter four hundred and sixty-three of the  
15 acts of nineteen hundred and six and acts in amend-  
16 ment thereof and supplementary thereto with ref-  
17 erence to bridges and tunnels of railroads.

1 SECTION 9. Said company shall have all the pow-  
2 ers and privileges and be subject to all the duties,  
3 restrictions and liabilities set forth in chapter four  
4 hundred and sixty-three of the acts of nineteen hun-  
5 dred and six and acts in amendment thereof and in  
6 addition thereto in relation to railroads so far as  
7 the same are applicable except as aforesaid.

1 SECTION 10. This act shall take effect upon its  
2 passage.