

HOUSE No. 308

Bill accompanying the petition of Thomas A. Niland for the acquisition by the Commonwealth of the property of the Boston Elevated Railway Company. Street Railways. January 12.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fourteen.

AN ACT

To provide for Ownership and Operation by the Commonwealth of the Lines and Property of the Boston Elevated 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. All the property, franchises and lines of
2 the Boston Elevated Railway Company shall be acquired
3 by the commonwealth within one year after the passage of
4 this act. The property of the said company shall be esti-
5 mated by three persons of whom one shall be designated
6 by the directors of the said company, one by the mayor
7 of Boston, and the third by the governor. The said per-
8 sons shall receive such compensation for their services and
9 shall be allowed such sums for their necessary expenses
10 as may be approved by the governor and council.

1 SECTION 2. The said persons shall be known as the
2 Boston elevated railway commission. The commission

3 shall estimate, with such assistants, experts or other per-
4 sons as the commission may deem necessary, the value of
5 the property of the said company not including the rights
6 granted to it by the commonwealth or by the city of
7 Boston to use public streets or other places; the intent of
8 this act being that the company should receive in return
9 for the acquisition of all its rights and property by the
10 commonwealth a sum equal to the sum which would be
11 required to replace all the tangible property owned by the
12 company, deducting such amounts as should be deducted
13 for depreciation of the said property since it was ac-
14 quired. If the said company is dissatisfied with the
15 award of the commission, or of any part thereof, it may
16 appeal to the supreme court of the commonwealth and
17 may claim a trial by jury to be held before one of the
18 justices of the said court.

1 SECTION 3. In order to provide for payment to the
2 said company of the sum found due to it the treasurer
3 and receiver general shall issue bonds for such amounts
4 and upon such terms as shall be determined by the said
5 commission with the approval of the governor and council.

1 SECTION 4. Upon the acquisition of the property of
2 the said company the commonwealth shall maintain and
3 operate the lines of the said company, and such addi-
4 tional lines as may be required, under the direction of an
5 officer to be appointed by the governor, with the advice
6 and consent of the council, who shall serve for the term
7 of five years, if not sooner removed by the governor, shall
8 receive a compensation of fifteen thousand dollars a year,
9 and shall be authorized to employ such officers, agents and
10 assistants as he may deem necessary.