

# SENATE . . . . No. 63

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To accompany the petition of George Holden Tinkham that the western terminal of the Boylston Street subway in the city of Boston be changed. Metropolitan Affairs.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

### AN ACT

Relative to Electric Railway Transportation Facilities  
in the City of Boston and its Vicinity.

*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. Section five of chapter seven hun-  
2 dred and forty-one of the acts of the year nineteen  
3 hundred and eleven is hereby amended by striking  
4 out the words "commencing with an open cut at or  
5 near the junction of Commonwealth avenue and  
6 Beacon street, thence continuing to, in and under  
7 Commonwealth avenue, Charlesgate west, the Fen-  
8 way, Charlesgate east, Newbury street, crossing  
9 under Massachusetts avenue; thence passing under  
10 or across private land and land of the city of  
11 Boston to a point under Boylston street near Here-

12 ford street," in the fourth, fifth, sixth, seventh,  
13 eighth, ninth and tenth lines thereof, and inserting  
14 in place thereof the words:—commencing with an  
15 open cut near the junction of Brookline avenue, the  
16 Fenway and Audubon road at such point as the  
17 commission may determine, thence proceeding in a  
18 straight line to the intersection of Massachusetts  
19 avenue and Boylston street.—so as to read as  
20 follows:—*Section 5.* The commission shall con-  
21 struct in the city of Boston a subway (hereinafter  
22 called the Boylston street subway) so designed as  
23 to be adapted to contain two railway tracks, com-  
24 mencing with an open cut near the junction of  
25 Brookline avenue, the Fenway and Audubon road  
26 at such point as the commission may determine,  
27 thence proceeding in a straight line to the inter-  
28 section of Massachusetts avenue and Boylston  
29 street; thence under Boylston street to a point at  
30 or near its junction with Arlington street; thence  
31 in and under public ways and public or private  
32 lands by such route as the commission may de-  
33 termine, to a point at or near the junction of Boyls-  
34 ton street and Tremont street, and thence in or  
35 under Tremont street and public lands to a point  
36 at or near the Park street station of the Tremont  
37 street subway, together with stations at Massachu-  
38 setts avenue, at Copley square, at or near the  
39 corner of Boylston and Tremont streets, and at or  
40 near Park street. Instead of constructing said sub-  
41 way as a continuous line from Arlington street to  
42 Park street station, the commission may connect  
43 said subway at or near the junction of Boylston  
44 street and Tremont street with the tracks of the  
45 present Tremont street subway, and between that

46 point and the Park street station may either enlarge  
47 the present Tremont street subway so as to provide  
48 for two additional tracks, or may construct a sep-  
49 arate subway adapted to contain two railway  
50 tracks, connecting the same with the present Tre-  
51 mont street subway and the tracks located therein.

52 The cost of enlarging the Tremont street subway,  
53 if that is done, or of building said separate subway,  
54 as above provided, shall be included in the cost of  
55 the Boylston street subway.

56 Any tunnel or subway construction under or with-  
57 in one hundred feet of, Boston common shall be  
58 made, so far as is practicable, water tight, and the  
59 work shall be so done as to avoid the drainage of  
60 moisture from the surrounding soil, or other injury  
61 to the trees; and the commission may construct a  
62 suitable system of sub-soil irrigation above or near  
63 the line of any section of said subway constructed  
64 under the common, or may take any other measures  
65 which it may deem expedient for the preservation  
66 of the trees, to be paid for as a part of the cost of  
67 the subway. The commission shall not erect any  
68 additional permanent structures above the surface  
69 of the common.

1 SECTION 2. This act shall not take effect until it  
2 shall have been accepted both by vote of the city  
3 council of the City of Boston approved by the  
4 mayor, and by the Boston Elevated Railway Com-  
5 pany by vote of its board of directors. Such ac-  
6 ceptances shall be evidenced by certificates thereof  
7 filed with the secretary of the commonwealth.

