

# HOUSE . . . . No. 1166.

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[Mr. Blood of Fitchburg gives notice that he will move to substitute this bill for report of the committee on Street Railways, reference to the next General Court.]

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## Commonwealth of Massachusetts

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

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### AN ACT

#### Relative to the Fitchburg and Suburban Street 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. The Fitchburg and suburban  
2 street railway company is hereby authorized to  
3 act as a common carrier of merchandise in the  
4 town of Leominster between the railroads and  
5 either of them and any of the manufacturing and  
6 business establishments in said town; but only in  
7 that part thereof east of the tracks of the New  
8 York, New Haven and Hartford railroad; and  
9 to act as such carrier of quarry products and

10 quarry supplies in the city of Fitchburg between  
11 either of the railroads and any of the quarries  
12 in said city, but not upon any public streets in  
13 said city except Pine, Canton, Bemis Road, Pratt  
14 Road, Rollstone and South; and upon such only  
15 of said streets, and in such locations thereon, and  
16 to such extent and in such manner only as shall  
17 be permitted, and subject to such regulations as  
18 may be imposed by the boards of selectmen and  
19 aldermen in said town and city, respectively, and  
20 as shall also be approved by the board of railroad  
21 commissioners; and may, with the consent of the  
22 respective boards of directors of the companies  
23 operating said railroads, connect its track with  
24 the tracks of said railroads, subject, however, to  
25 all general laws governing the location and ex-  
26 tension of tracks of street railway companies,  
27 and may acquire, by lease or purchase, and oper-  
28 ate its railway upon, private land and rights of  
29 way thereover: *provided, however*, that nothing  
30 herein shall authorize said street railway com-  
31 pany to act as a common carrier across the tracks  
32 of any steam railroad at the same grade there-  
33 with: and *provided, further*, that in acting as  
34 such common carrier said company shall be sub-  
35 ject to all general laws in force relative to com-  
36 mon carriers so far as applicable.

1 SECTION 2. Said company may issue stock or  
2 bonds, from time to time, to such an aggregate  
3 amount as the board of railroad commissioners  
4 shall find to be equivalent to the actual expense

5 incurred or to be incurred under the foregoing  
6 section of this act, in the purchase of land and  
7 rights of way, and in the construction and equip-  
8 ment of extensions and branches of its railway,  
9 and the purchase of rolling stock therefor: *pro-*  
10 *vided, however,* that only such an amount of  
11 bonds shall be issued under authority hereof as,  
12 with the amount of bonds previously issued and  
13 then outstanding, shall be equal to the amount  
14 of stock then outstanding. Such additional  
15 bonds may be secured by a mortgage of part  
16 or all the company's franchise and property, sub-  
17 ject to the lien of any prior mortgage theretofore  
18 made by the company.

1 SECTION 3. This act shall take effect upon its  
2 passage.

