

Bill accompanying the petition of George B. James and Arthur C. Paine for legislation creating a corporation with authority to construct a railroad and transport freight in that part of the city of Boston known as East Boston. Railroads. January 8.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nine.

AN ACT

To incorporate The East Boston Marginal Railroad.

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. Arthur C. Paine, George B. James,
2 their associates and successors, are hereby made a
3 corporation by the name of The East Boston Mar-
4 ginal Railroad, subject to all the general laws which
5 now are or may hereafter be in force relating to
6 railroad corporations so far as the same are ap-
7 plicable and not consistent with the provisions of
8 this act.

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 the par value of one
4 hundred dollars each.

1 SECTION 3. Said corporation may in that part of
2 the city of Boston commonly called East Boston,
3 locate, construct, maintain, and operate a railroad
4 by steam, electricity, or other motive power, for the
5 transportation of freight upon and over the follow-
6 ing location, to wit:—Beginning at a point at or
7 near the East Boston end of the Chelsea street
8 bridge of the Boston and Albany Railroad Company
9 along Chelsea street to Eagle square; thence north-
10 erly and westerly with necessary curves over pri-
11 vate lands and flats, into and along Condor street
12 to Border street; thence along Border street to
13 Sumner street, or by a necessary curve over private
14 lands into New street, and thence to Sumner street;
15 thence along Sumner street to Mill street; and
16 thence along Mill street to the tracks of the Na-
17 tional Dock and Storage Warehouse Company;
18 with such branches, spurs, sidings, turnouts, con-
19 nections, switches, terminal tracks, extensions, and
20 freight yards in connection with the location above
21 set forth as may be authorized by the board of rail-
22 road commissioners; or in such other locations as
23 the general court may deem advisable.

1 SECTION 4. Said corporation shall not lay its
2 tracks in any public way until the location therein
3 shall have been approved by the board of railroad
4 commissioners. Said corporation may vary or alter
5 the location described in section three of this act
6 with the approval of said board.

1 SECTION 5. Said corporation may acquire and
2 hold by purchase, taking, or otherwise land and flats
3 outside the limits of public ways for the purpose of
4 constructing its railroads, buildings, shops, stations,

5 branches, curves, spurs, sidings, turnouts, connec-
6 tions, switches, extensions, freight yards, and ter-
7 minals. Said corporation may take for the pur-
8 poses aforesaid land and flats in the manner and
9 upon the terms and conditions prescribed by chap-
10 ter four hundred and sixty-three of the acts of the
11 year nineteen hundred and six, and acts in amend-
12 ment thereof and in addition thereto, and shall pay
13 all damages occasioned by such taking, which dam-
14 ages shall be estimated and determined in the man-
15 ner provided in said act.

1 SECTION 6. Said corporation is hereby authorized
2 to construct such bridges, trestles, or other struct-
3 ures as may be necessary to enable it to construct
4 its tracks over any flats or tide waters within the
5 location aforesaid: *provided, however*, that all such
6 bridges, trestles, and other structures, and the plans
7 therefor, shall be approved by the board of harbor
8 and land commissioners as provided in said chapter
9 four hundred and sixty-three of the acts of the year
10 nineteen hundred and six, and acts in amendment
11 thereof and in addition thereto with reference to
12 bridges and tunnels of railroads.

1 SECTION 7. Said corporation shall have all the
2 powers and privileges, and be subject to all the
3 duties, restrictions, and liabilities set forth in said
4 chapter four hundred and sixty-three of the acts of
5 the year nineteen hundred and six, and acts in
6 amendment thereof and in addition thereto in rela-
7 tion to railroads so far as the same are not incon-
8 sistent with the provisions of this act.

1 SECTION 8. This act shall take effect upon its
2 passage.

