

HOUSE . . . . No. 368.

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Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Seventy-  
Two.

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AN ACT

Concerning the Middlesex Railroad Company.

[As amended and ordered to a 3d reading.]

*Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :—*

1   SECT. 1.   The Middlesex Railroad Company is  
2 hereby authorized to construct, maintain and use a  
3 railway, with a single track, in Boston, in Tremont  
4 row, and in that part of Tremont street between the  
5 Common and Scollay's square, in which the Metro-  
6 politan Railroad Company now has only a single  
7 track, and to connect the track hereby authorized  
8 with its existing track in Tremont row, and with the

9 track of the Metropolitan Railroad Company which  
10 terminates near the Tremont House, in said Tremont  
11 street; and for the purpose of constructing said  
12 track, may remove and relay, at its own expense, said  
13 single track of the Metropolitan Railroad Company,  
14 so that both tracks may be laid, and necessary con-  
15 nections made as aforesaid, in said street, in a manner  
16 satisfactory to the board of aldermen of the city of  
17 Boston.

1     SECT. 2. The Middlesex Railroad Company is  
2 hereby authorized to construct, maintain and use a  
3 railway, with a single or double track, with suitable  
4 turnouts and connections, in Shawmut avenue in Bos-  
5 ton, between its junction with Tremont street and its  
6 junction with Washington street, and to connect said  
7 track or tracks with the tracks of the Metropolitan  
8 Railroad Company at the junction of said Tremont  
9 street and Shawmut avenue, and the same shall be  
10 constructed and connected to the satisfaction of the  
11 board of aldermen of the city of Boston: *provided*,  
12 *however*, that at any time within eighteen months  
13 after the passage of this act the Highland Street Rail-  
14 way Company may, at the request of a majority of  
15 its stockholders in interest, be consolidated with said  
16 Middlesex Railroad Company, which shall thereupon  
17 acquire the franchise and property of said Highland  
18 Street Railway Company, at such appraised value as  
19 shall be determined by the railroad commissioners, on  
20 petition, or fixed by mutual agreement; and there-  
21 after said Middlesex Railroad Company shall have all  
22 the powers and privileges, and be subject to all the  
23 duties, restrictions and liabilities with regard to that

24 part of their route south of Temple Place street,  
25 granted to said Highland Street Railway Com-  
26 pany, or imposed upon it by chapter two hundred and  
27 twelve of the acts of the present year, except so far as  
28 they are inconsistent with the provisions of this act;  
29 and *provided, further*, that the said Highland Street  
30 Railway Company may contract with the Middlesex  
31 Railroad Company to build, equip and run its road,  
32 or to lease its franchise or property to the Middlesex  
33 Railroad Company, at any time within eighteen  
34 months, for a time not exceeding twenty years.

1     SECT. 3. The Middlesex Railroad Company is  
2 hereby authorized, for the purpose of running cars  
3 between Charlestown and the southerly part of Bos-  
4 ton, to connect with, enter upon and use with its  
5 horses and cars the tracks of the Metropolitan Rail-  
6 road Company in Tremont street, Court street and  
7 Tremont row, between Scollay's square and the junc-  
8 tion of Tremont street and Shawmut avenue; and the  
9 manner and condition of such entry and use, and the  
10 compensation therefor, shall be determined in the  
11 manner provided in section thirty-eight of chapter  
12 three hundred and eighty-one of the acts of eighteen  
13 hundred and seventy-one.

1     SECT. 4. In case any other railroad company shall  
2 construct a track or tracks in Shawmut avenue be-  
3 tween Tremont street and Washington street, the  
4 Middlesex Railroad Company is hereby authorized  
5 to enter upon and use the same with its horses and  
6 cars.

1    SECT. 5. The said corporation shall in no case  
2 charge or receive more than five cents for a single pas-  
3 sage, in any car that shall run to and from any point  
4 in Charlestown or Boston, upon and over the tracks  
5 and locations authorized by this act to be constructed  
6 or used.

1    SECT. 6. This act shall take effect upon its pas-  
2 sage.