

SENATE . . . No. 104.

Commonwealth of Massachusetts.

SENATE, March 16, 1887.

The Committee on Railroads, to whom was referred the Order relative to amending section 156 of chapter 112 of the Public Statutes relating to the maintenance by railroad corporations of passenger stations established and maintained for five years, so as to give the Railroad Commissioners discretion in the enforcement of the provisions thereof, report the accompanying Bill.

For the Committee,

J. HENRY GOULD.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty-seven.

AN ACT

Giving the Board of Railroad Commissioners certain Discretionary Powers as to the stopping of Trains at Passenger Stations which have been established and maintained for Five Consecutive Years.

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 one hundred and fifty-six of chapter
- 2 one hundred and twelve of the Public Statutes is
- 3 thereby amended by inserting after the word
- 4 "nor" in the third line thereof the following:
- 5 "shall it;" and by inserting after the word
- 6 "road" in the sixth line thereof the following:
- 7 "unless with the approval in writing of the board
- 8 as to the manner and extent of such diminution,"
- 9 so that said section shall read as follows:—
- 10 *Sect. 156.* A railroad corporation which has
- 11 established and maintained throughout the year

12 for five consecutive years a passenger station at
13 a point upon its road shall not abandon such
14 station, nor shall it substantially diminish the
15 accommodation furnished by the stopping of
16 trains thereat as compared with that furnished at
17 other stations on the same road, unless with the
18 approval in writing of the board as to the manner
19 and extent of such diminution; and in case of a
20 violation of the provisions of this section, the
21 attorney-general, at the relation of ten legal
22 voters of the city or town in which said station is
23 located, shall proceed in equity by information to
24 enjoin the corporation from further violation
25 thereof.

- 12 In the consecutive years a person's station of
- 13 a hotel upon its road shall not be higher than
- 14 station, nor shall it substantially exceed the
- 15 accommodation furnished by the station; or
- 16 shall there be a complaint with that respect; or
- 17 other stations on the same road, unless with the
- 18 approval in writing of the board as to the nature
- 19 and extent of such distinction; and in case of a
- 20 violation of the provisions of this section, the
- 21 attorney-general, at the relation of any legal
- 22 voter of the city or town in which such violation
- 23 occurs, shall proceed by writ by injunction to
- 24 enforce the compliance with the provisions of this
- 25 section.