

SENATE....No. 87.

Commonwealth of Massachusetts.

IN SENATE, March 21, 1857.

The Joint Committee on Railways and Canals, to whom was committed the Petition of the Fitchburg Railroad Company, praying for leave to discontinue a Branch, and for other purposes ; in regard to so much of the said Petition as relates to the expediency of discontinuing a crossing, at grade, of the Warren Bridge, and the maintenance of the same, report the accompanying Bill.

E. F. STONE, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-
Seven.

AN ACT

To discontinue a Crossing, at grade, upon the Warren
Bridge, and for other purposes.

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

1 SECT. 1. The Fitchburg Railroad Company are
2 hereby empowered to extend south-easterly, in a
3 straight line, the extreme north-easterly line of their
4 railroad bridge across Charles River, from a point
5 south-east of the draw and pier thereof, across the
6 old Warren Bridge, until such line shall intersect the
7 south-westerly side of the new bridge constructed by
8 said company, leading from the old Warren Bridge
9 toward Beverly Street; and they may close the cross-

10 ing upon their said railroad bridge, and may inclose
11 and appropriate, use and maintain, for railroad and
12 station purposes exclusively, all that section of the
13 old Warren Bridge which lies south-west or south of
14 the line above defined, and between it and the abut-
15 ment of the old Warren Bridge at the foot of Haver-
16 hill Street, a large part of which is included in their
17 location; and they may discontinue the gates they
18 are now required to maintain upon each side of said
19 crossing, and the Commonwealth shall be thenceforth
20 exonerated from the maintenance of any part of said
21 old Warren Bridge on the south-westerly side of the
22 line above defined, or southerly of the same.

1 SECT. 2. The said company are hereby required
2 to construct a brick sidewalk with granite curb stones,
3 conforming in width and mode of construction to the
4 sidewalks of Warren Bridge, from the southerly end
5 of the brick sidewalk upon the west side of said
6 Warren Bridge along the north-easterly side of the
7 line above defined, until it reaches the sidewalk on
8 the north-easterly side of the passenger house and
9 other structures of said company, and shall, with
10 reasonable dispatch, remove the snow and ice that may
11 from time to time collect upon such new sidewalk,
12 and shall relinquish to the Commonwealth, for the
13 purpose of widening said new bridge structure, such
14 part of their location and structures as lies on the
15 north-easterly side of the line above defined.

1 SECT. 3. The said company may extend north-
2 westerly in a straight course, their south-westerly line
3 upon Haverhill Street, in the city of Boston, until it

4 shall intersect the abutment of Warren Bridge, thus
5 making such line of said company perfectly straight
6 from the rectangular projection in Haverhill Street,
7 near Causeway Street, to the Warren Bridge; and they
8 may appropriate as an avenue or for railroad purposes,
9 the small additional space thus inclosed.

1 SECT. 4. And whereas said company have been
2 required by law to construct and maintain a new
3 bridge structure connecting with the Warren Bridge,
4 and have offered to commute for one gross sum
5 the annual charges to which they are subject for
6 the repair and maintenance thereof, it is hereby pro-
7 vided that said company may at any time within the
8 current year pay into the State treasury such sum of
9 money as shall, with the interest thereon, suffice for
10 such maintenance and repairs and be an equivalent for
11 their obligation to repair such bridge structure, in
12 which no part of the solid land is included. And
13 the amount thus to be paid shall be determined by
14 Josiah G. Abbott, Esquire, one of the justices of the
15 superior court for the county of Suffolk, whose deci-
16 sion in writing shall be filed with the State treasurer
17 and shall be conclusive as to the amount; and after
18 such amount shall have been duly paid into the treas-
19 ury of this Commonwealth, the said company shall be
20 forever exonerated from the expenses of the repair
21 and maintenance of such bridge structure, and from
22 all charges and expenses incident thereto.

1 SECT. 5. The amount thus to be determined shall
2 be paid by said company to the State treasurer, who
3 shall give a receipt therefor, and the amount shall be

4 added by him to the fund accumulating from the tolls
5 of the Warren and Charles River Bridges, specified in
6 the sixth section of the four hundred and fifty-first
7 chapter of the acts of the legislature of Massachu-
8 setts for the year eighteen hundred and fifty-four.
9 And when the said fund, including the sum thus
10 added, shall amount to one hundred thousand dollars,
11 the treasurer of the Commonwealth shall give notice
12 thereof to the governor, who shall thereupon publicly
13 declare said bridges free from toll.

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

