

HOUSE....No. 369.

Commonwealth of Massachusetts.

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

AN ACT

Concerning the Suffolk, Metropolitan, and Broadway
Railroad Companies.

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 Suffolk Railroad Company are here-
2 by authorized and empowered to connect their track,
3 now down at the corner of Washington and Boylston
4 Streets, with the track of the Metropolitan Railroad
5 Company in said Boylston Street, with the right to
6 enter upon and use, with their horses and cars used

7 exclusively within the city of Boston, the tracks of
8 the said Metropolitan Railroad in Cornhill, Washing-
9 ton, Boylston, and Tremont Streets, and the open
10 space lying southerly of Scollay's Building, described
11 in the route of location granted by the board of
12 aldermen of the city of Boston, in an order passed
13 January fifth, eighteen hundred and sixty-one, and
14 accepted in writing by the said Suffolk Railroad
15 Company, in such manner as shall, from time to time,
16 be fixed and determined by the mayor and aldermen
17 of the city of Boston.

1 SECT. 2. The Suffolk Railroad Company are hereby
2 authorized and empowered to convey passengers by
3 some central, direct, and convenient route or routes,
4 to and from the several steam ferries and steam rail-
5 road depots, in the northerly part of the said city, and
6 the Boston and Providence, Boston and Worcester,
7 and Old Colony and Fall River steam railroad depots
8 respectively, and for this purpose to connect their
9 tracks with, and to enter upon and use, with their
10 horses and cars used exclusively within the said
11 city of Boston, the tracks of any other railroad
12 company laid in any streets or highways through
13 which the said Suffolk Railroad Company has been,
14 or shall be located, north of the southerly line of
15 said depots by said mayor and aldermen, and for this
16 purpose, to construct, maintain and use a railway or
17 railways, with convenient single or double tracks,
18 switches, curves, and turn-outs, from their tracks in
19 Causeway Street through Bowdoin Square to the track
20 of the Metropolitan Railroad Company at the head
21 of Cornhill, and over and upon such streets and

22 highways of the city of Boston, as shall from time to
23 time be fixed and determined by the mayor and
24 aldermen of said city, and accepted in writing by
25 said Suffolk Railroad Company: *provided*, that no
26 cars shall be run by said Suffolk Railroad Company
27 over the tracks of the Broadway Railroad Company,
28 except by the consent of said company; but the Suffolk
29 Railroad Company shall construct no track south of
30 Cornhill except as provided by the fourth and fifth
31 sections of this act, and the said Suffolk Railroad
32 Company may run their cars from the northerly depots
33 and ferries through Boylston Street, and return, under
34 the provisions of the first section of this act, till the
35 completion of the routes to the southerly depots.

1 SECT. 3. The Metropolitan Railroad Company are
2 hereby authorized and empowered to enter upon and
3 use with their Boston Neck, also Tremont and Berke-
4 ley Street cars, the tracks and routes of location that
5 now are or hereafter may be granted to the Suffolk
6 Railroad Company, and the tracks of the Middlesex
7 and Cambridge Railroad Companies to and from the
8 steam railroad depots in the northerly part of the city
9 of Boston, described in the location of the Suffolk
10 Railroad Company granted by the board of aldermen
11 of the city of Boston, in an order passed January
12 fifth, eighteen hundred and sixty-one, and accepted in
13 writing by the said Suffolk Railroad Company, in
14 such manner as shall from time to time be fixed and
15 determined by the mayor and aldermen of the said city
16 of Boston.

1 SECT. 4. The Metropolitan Railroad Company are
2 hereby authorized and empowered to construct, main-

tain and use a railway or railways with convenient single or double tracks, switches, curves and turn-outs from their track near the Winthrop House, in the said city of Boston, to the Boston and Providence Railroad Depot and through Providence and Berkeley Streets to their track near Dover Street, as shall from time to time be fixed and determined by the mayor and aldermen of the city of Boston, and, accepted in writing by said Metropolitan Railroad Company: *provided*, that if the said Metropolitan Railroad Company shall not construct the track to and from the said Providence Railroad Depot within one year, the Suffolk Railroad Company may construct the same, to and from the said depot, as shall be from time to time fixed and determined by the mayor and aldermen of the city of Boston, the Metropolitan Railroad Company having the right to purchase the same within six months from the time of its completion by paying the cost of the same and interest thereon, and assuming all the conditions of construction of and maintaining the same imposed upon the Suffolk Railroad Company.

SECT. 5. The Broadway Railroad Company are hereby authorized and empowered to enter upon and use, with their horses and cars run exclusively from South Boston, the tracks and routes of location of the Suffolk Railroad Company that now are or hereafter may be granted to the Suffolk Railroad Company, and the tracks of the Middlesex and Cambridge Railroad Companies, to and from the steam railroad depots in the northerly part of the said city of Boston, as shall be from time to time fixed and determined by

11 the mayor and aldermen of the city of Boston: *pro-*
12 *vided*, that the said Broadway Railroad Company shall
13 not be authorized to run any cars under the provisions
14 of this section until such time as they shall consent to
15 the use of their tracks by the said Suffolk Railroad
16 Company to the Old Colony and Fall River, and Bos-
17 ton and Worcester steam railroad depots, and if the
18 said Broadway Railroad Company, after such consent,
19 shall not construct proper and convenient switches,
20 curves and turn-out tracks at said depots, the Suffolk
21 Railroad Company may construct the same in such
22 manner as shall from time to time be fixed and deter-
23 mined by the mayor and aldermen of said city of
24 Boston.

1 SECT. 6. The Broadway, Metropolitan, and Suffolk
2 Railroad Companies, respectively, are also further
3 authorized and empowered, by voluntary agreements
4 and arrangements, each with the other, and not other-
5 wise, to enter upon and use with their horses and
6 cars, respectively, any further portion of the tracks of
7 each other in said city of Boston: *provided*, that such
8 agreements and arrangements shall not be effective
9 until approved by the mayor and aldermen of said city
10 of Boston; and provided that neither of said com-
11 panies shall, under the provisions of this section, be
12 empowered to enter upon any such track or tracks
13 without the assent of the company owning the same.

1 SECT. 7. The Broadway, Metropolitan, and Suffolk
2 Railroad Companies, shall, respectively, run such
3 number of cars, and at such times, and shall pay
4 such compensation to each other, and to any railroad

5 company whose tracks they may enter upon and use,
6 under the provisions of this act, as may be mutually
7 agreed upon ; and in case of disagreement as to
8 the number of cars to be run, the time and manner
9 of use of the said tracks, or the compensation to be
10 paid to said railroad companies, the same shall be
11 fixed and determined by three commissioners to be
12 appointed by the supreme judicial court, the award of
13 whom, or a major part of whom, reported to and con-
14 firmed by said court, shall be binding upon the
15 respective corporations ; and any such award may be
16 revised or altered by commissioners appointed in like
17 manner. The cost of the commission shall be appor-
18 tioned upon the corporations interested, or any of
19 them, as shall be just and equitable.

1 SECT. 8. Each of the said companies, while using
2 the tracks of any company, as authorized by this
3 act, shall conform to the rules and regulations, from
4 time to time established, of the respective companies
5 whose tracks they use, except so far as modified by
6 said commissioners, and shall keep an account of
7 the number of cars run daily by them respectively,
8 and, as nearly as may be, of the passengers by them
9 transported daily upon the railroad they are thus
10 using, and of the number of miles run by them daily
11 thereon, and shall render the account of the same at
12 least weekly to the treasurer of said last named
13 company.

1 SECT. 9. In case said Suffolk Railroad Company
2 shall transfer its railroad and franchise to any other
3 railroad company as provided in section fourteen of

4 chapter two hundred and eighty-five of the acts of
5 eighteen hundred and fifty-seven, said last named
6 company may increase its capital to an amount not
7 exceeding the cost of said railroad and appurtenances
8 and the cost of properly equipping the same, said
9 increase not to exceed, in the aggregate, the sum of
10 two hundred thousand dollars.

1 SECT. 10. If either of the said corporations men-
2 tioned in this act shall neglect to occupy or use a
3 location in any street or highway for one year from
4 the time the said location was granted by the mayor
5 and aldermen, the right to such portion of the said
6 location or track shall thereupon become void, and in
7 case any part of their tracks shall be discontinued,
8 they shall remove the same from the streets and high-
9 ways and shall put them in as good condition for
10 public travel as they were immediately before they
11 were occupied by said corporations.

1 SECT. 11. This act shall take effect from and after
2 its passage.

IN SENATE, April 26, 1862.

Passed to be engrossed.

Sent down for concurrence.

S. N. GIFFORD, *Clerk.*

1870
The following is a list of the names of the persons who have been admitted to the membership of the Society since the last meeting of the Council, held on the 15th of the month of January, 1870.

1. Mr. J. H. [Name] of [Location]
2. Mr. J. H. [Name] of [Location]
3. Mr. J. H. [Name] of [Location]
4. Mr. J. H. [Name] of [Location]
5. Mr. J. H. [Name] of [Location]
6. Mr. J. H. [Name] of [Location]
7. Mr. J. H. [Name] of [Location]
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