

HOUSE No. 483.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, June 29, 1886.

The Committee on Railroads, to whom was referred the petition of John H. Payne and others of Boston for legislation relative to the retention of a station on the New York and New England Railroad, report the accompanying Bill.

For the Committee,

WILLIAM F. WHARTON.

[Mr. MOSELEY of Newburyport, of the House, dissents.]

Commonwealth of Massachusetts.

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

AN ACT

In relation to the Station of the New York and New England Railroad in Boston called Forest Avenue Station.

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. The board of railroad commis-
2 sioners is hereby authorized, upon the petition of
3 twenty legal voters of the city of Boston, after
4 due notice to the New York and New England
5 Railroad Company and such hearing as said
6 board shall deem expedient, if in the judgment of
7 said commissioners the duties and obligations of
8 said company or the public exigency require it,
9 to order the said company to construct within
10 three months from the date of said order, and
11 thereafter to maintain upon its railroad at or near
12 Forest Hills Avenue in said Boston, at a place
13 called Forest Avenue Station, a station house,

14 reasonably commodious and furnished for the use
15 of passengers; and also to stop at Forest Avenue
16 Station both before and after the erection of said
17 station house a specified portion of its passenger
18 trains. And if it becomes necessary for said
19 company, in carrying out such order, to take land
20 without agreement with the owner or owners
21 thereof, it shall be taken under the provisions of
22 law relating to the taking of land for railroad
23 tracks.

1 SECT. 2. In case of the neglect or refusal of
2 said company to comply with and fulfil any of the
3 requirements of said order, a copy of which shall
4 be delivered by said board to the president or
5 some other officer of said company within ten
6 days from its date, the supreme judicial court or
7 any justice thereof sitting in equity in any county
8 shall have full power forthwith to make and issue
9 such orders and decrees in the premises as may
10 be necessary to compel specific performance of
11 the terms of said order by said company, and for
12 every month's delay or refusal on the part of said
13 company to comply with and fulfil any of the re-
14 quirements of said order, said company shall
15 forfeit and pay the sum of five hundred dollars,
16 to be recovered in an action of tort to be brought
17 by the attorney-general or the district-attorney of
18 the county of Suffolk, to the benefit of the
19 Commonwealth.

1 SECT. 3. Until the board of railroad commis-

2 sioners shall exercise the authority given them
3 under section one of this act, the said railroad
4 company shall cause to be stopped at said Forest
5 Avenue Station at least four of its passenger trains
6 each way daily.

1 SECT. 4. This act shall take effect upon its
2 passage.

