

Park commis-
sioners, elec-
tion, powers
and authority.

SECTION 4. All the rights, powers and authority given to the city of Cambridge by this act and by said chapter, except for the taking of land and assessment of betterments, shall be exercised by said city, subject to all duties, liabilities and restrictions herein contained, through a board of persons to be appointed by said city, who shall be styled park commissioners.

1892, 341, §9,
repealed.

SECTION 5. Section nine of chapter three hundred and forty-one of the acts of the year eighteen hundred and ninety-two is hereby repealed.

To take effect
upon accept-
ance.

SECTION 6. This act shall take effect upon its acceptance by the city council of Cambridge.

Approved May 12, 1893.

Chap. 338

AN ACT TO AUTHORIZE THE WORCESTER, LEICESTER AND SPENCER STREET RAILWAY COMPANY TO INCREASE ITS CAPITAL STOCK AND PURCHASE THE RAILWAYS, FRANCHISES AND PROPERTY OF CERTAIN RAILWAY CORPORATIONS.

Be it enacted, etc., as follows :

May purchase
the franchises,
etc., of certain
other railway
companies, etc.

SECTION 1. The Worcester, Leicester and Spencer Street Railway Company is hereby authorized, with the approval of the board of railroad commissioners, to purchase and hold the whole or any part of the rights, franchises and property of any street railway company now, or within two years hereafter, having a location in whole or in part in the city of Worcester, including the Worcester and Shrewsbury Railroad Company, and each of said companies may sell, convey and assign to said Worcester, Leicester and Spencer Street Railway Company the whole or any part of its property, rights and franchises, on such terms as may be agreed to by the respective boards of directors of the purchasing and selling corporations, and as shall be approved at meetings called for the purpose by a majority in interest of the stockholders of said corporations respectively.

Extension of
railway, etc.

SECTION 2. Said Worcester, Leicester and Spencer Street Railway Company may extend and operate its railway in and through the city of Worcester and the towns of Auburn, Leicester, Oxford, Charlton and Southbridge, upon locations granted to it by the aldermen of said city and the selectmen of said towns, respectively, and all grants and locations heretofore made in said towns to said railway company are hereby ratified and confirmed.

SECTION 3. For the purpose of carrying into effect the provisions of this act, and for no other purpose, said Worcester, Leicester and Spencer Street Railway Company may increase its capital stock and issue its mortgage bonds, but said new issue of capital stock shall not exceed the amount of capital stock authorized by the laws of this Commonwealth and actually paid in by the selling corporations at the time of sale, and their indebtedness incurred under the laws of this Commonwealth for construction, the cost of said extension to Southbridge, and fifty thousand dollars for the further equipment of the power station of the Worcester, Leicester and Spencer Street Railway Company, and the retirement of its floating debt; and said new stock may be exchanged for the said stock of the selling corporations, but in no case at a valuation for said new stock of less than par, and any stock not so used may be sold at public auction or issued in any other way now authorized by law: *provided*, such issue of bonds shall not exceed the capital stock of said railway actually paid in. And said bonds shall not be issued for any purpose for which the company has issued stock.

Increase of capital stock, issue of mortgage bonds, etc.

Proviso.

SECTION 4. After any purchase herein authorized has been effected said Worcester, Leicester and Spencer Street Railway Company shall have, hold and enjoy all the rights, privileges, easements, locations, franchises and property of the selling corporation, and shall be subject to all its duties, debts and liabilities, and shall forthwith file in the office of the secretary of the Commonwealth copies of the votes of the respective corporations assenting to said purchase, certified by the clerks of said corporations respectively.

Rights, liabilities, etc.

SECTION 5. The provisions of section four of chapter three hundred and eight of the acts of the year eighteen hundred and ninety-one are made part hereof, and so far as may be shall apply to purchases and sales by and of said companies hereunder.

1891, 308, §4, to apply.

SECTION 6. Said company may construct and operate its line over any private property which it has acquired by purchase or lease.

Rights over private property.

SECTION 7. The name of said Worcester, Leicester and Spencer Street Railway Company may be changed by vote of its directors to Worcester and Suburban Street Railway Company, and it may increase its board of directors to not more than fifteen.

Name may be changed; number of directors may be increased.

To be void if road is conveyed to a foreign corporation.

SECTION 8. All rights granted under this act shall be null and void in case said road shall be sold or leased to any foreign corporation.

SECTION 9. This act shall take effect upon its passage.

Approved May 12, 1893.

Chap. 339

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF BOYLSTON STREET IN THE CITY OF BOSTON BETWEEN THE BACK BAY FENS AND BROOKLINE AVENUE.

Be it enacted, etc., as follows :

Construction of Boylston street in the city of Boston.

SECTION 1. The board of street commissioners of the city of Boston may lay out and construct, under the provisions of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one as amended by chapter four hundred and eighteen of the acts of the year eighteen hundred and ninety-two, Boylston street in said city, between the Back Bay fens and Brookline avenue, substantially as shown on a plan of the board of survey, filed in the office of the city surveyor of said city, and may lay out and construct said street and the connections or intersections of other streets with the same, in accordance with the widths and lines shown on said plan or in accordance with any other widths and lines which they may deem proper: *provided*, that Boylston street shall not be laid out with a greater width than eighty feet.

Determination of cost, assessment of betterments etc.

SECTION 2. Said board shall, after said street shall have been laid out and constructed, determine the cost incurred in carrying out the order of said board, including the expenses as certified to them by the auditor of said city, of taking land and of all other doings in the laying out and construction of said street, together with the expenses, not exceeding four dollars per lineal foot of sewer, of the sewers and connections, and the laying thereof, and of all other work and materials furnished by or for the city in carrying out the order of said board, except the expenses for gas pipes, water pipes, their connections, and the laying thereof, and shall assess a proportional share of said cost upon the real estate, whether a part thereof is taken for said highway or whether situated on said street or otherwise, which said board shall adjudge receives any benefit and advantage from such laying out, construction and laying of sewers and pipes as aforesaid, beyond the general advantages to all