

HOUSE No. 7.

[Bill accompanying the petition of Robert S. Goff, president, for legislation to authorize the Globe Street Railway Company to extend its railway into the towns of Swansea, Freetown and Berkley, to use poles owned by other parties, to lease the franchise, railway and property of the Newport and Fall River Street Railway Company, to erect and maintain poles and wires and operate its railway over private land, and to generate and sell or to purchase electricity for all purposes; and for legislation to ratify and confirm all its existing locations and its present use of the poles of others. Street Railways.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

To extend the Corporate Powers of the Globe Street Railway Company.

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 Globe Street Railway Company, its
2 successors and assigns, upon obtaining from time to time
3 the right so to do from the board of aldermen of a city
4 or selectmen of a town in the manner provided for the
5 grant of locations for extensions of its railway, may use
6 for attaching and maintaining its overhead wire system

7 in such city or town any poles, with the assent of the
8 owners thereof, located in a street or highway of such
9 city or town, and shall, subject to the terms of any
10 agreement with the owner of the poles, have and enjoy
11 the same rights and be subject to the same liabilities in
12 relation to said poles as pertain to poles erected and
13 maintained by said company for its own use as a part of
14 its railway, and may from time to time grant rights to
15 other persons and companies to attach to and maintain
16 upon its poles any wires of such other persons and com-
17 panies who are lawfully entitled to erect and maintain
18 poles for their own purposes in the streets and highways
19 of such city or town, and all such persons and com-
20 panies are hereby authorized to make agreements with
21 said company, its successors or assigns, for the use of
22 their poles by said company or of said company's poles
23 by them; and any attachments to poles of other parties
24 heretofore made by said company, and by such other
25 parties to poles of said company with its consent, are,
26 subject to the terms of any agreements with the owners
27 thereof hereby ratified and confirmed.

1 SECTION 2. The Globe Street Railway Company, its
2 successors and assigns, is hereby authorized to extend
3 its railway into the towns of Swansea, Freetown and
4 Berkley upon such public ways therein as may from time
5 to time be designated by the selectmen of said towns
6 respectively by duly granted locations in accordance with
7 law; and also to operate and maintain its railway and
8 lines of poles and wires in and upon private lands from
9 time to time leased or purchased or over which rights of
10 ways from the owners thereof have been or shall be ob-
11 tained for that purpose in all and any cities or towns
12 wherein it is now or may hereafter be entitled to operate
13 a street railway.

1 SECTION 3. Said company, its successors and assigns,
2 may generate, manufacture, use and supply electricity
3 for a motive power in any city or town in which it, or
4 any Massachusetts street railway company succeeding to
5 its rights and liabilities by purchase or consolidation
6 under provisions of existing law, may now or hereafter
7 be authorized to operate a street railway; and for that
8 purpose may erect and maintain poles, trolley, feed, and
9 stay wires and other devices for conducting electricity in,
10 over and under any streets, highways, bridges and town
11 ways in any of said cities and towns whereon it has been
12 or may hereafter be authorized by the boards of alder-
13 men or selectmen of such cities and towns respectively
14 to operate its railway, and upon and over any private
15 land with the consent of the owners thereof, and may
16 sell to, or purchase from, any street railway company
17 now or hereafter incorporated under the laws of this
18 Commonwealth or of the state of Rhode Island electricity
19 for all purposes incidental to the operation of street rail-
20 ways by the electric system of motive power; and may
21 take a lease of and use and operate all the franchise,
22 railway, property, rights, easements, privileges and
23 locations of the Newport and Fall River Street Railway
24 Company for the term of ninety-nine years from the date
25 of such lease, and said last named company may make
26 such a lease to said Globe Street Railway Company, or
27 its successors or assigns, provided that the terms of such
28 lease shall be agreed to by a majority of the directors
29 and two-thirds in interest of the stockholders of the lessor
30 and lessee companies respectively, and shall be approved
31 by the board of railroad commissioners of this Common-
32 wealth as required by law, before the same shall become
33 valid or binding.

1 SECTION 4. Said Globe Street Railway Company, its

2 successors and assigns, after the execution and approval
3 of a lease under authority of this act shall be and remain
4 subject to all the duties, liabilities and restrictions im-
5 posed upon said lessee by the laws of this Common-
6 wealth, and as regards the railway of the lessee to the
7 same and as full control and regulation by the General
8 Court and the board of railroad commissioners of this
9 Commonwealth as though such lease had not been made,
10 and all locations and rights heretofore granted to said
11 Globe Street Railway Company or to any corporation,
12 the franchise and property of which it may have acquired
13 under authority of law, are hereby ratified and confirmed
14 and shall be deemed and taken to have been duly granted
15 under authority of law.

1 SECTION 5. This act shall take effect upon its passage.