

SENATE...No. 187.

Commonwealth of Massachusetts.

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

AN ACT

Relating to the use of Railroads.

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. In all cases in which an award shall be
2 made by commissioners under the one hundred and
3 ninety-first chapter of the statutes passed in the year
4 one thousand eight hundred and forty-five, either
5 party, if dissatisfied with the rate of compensation
6 so awarded, may file in the clerk's office of the court

7 by whom said commissioners were appointed, an appli-
8 cation for a jury to fix and determine such compensa-
9 tion, and the court shall thereupon order the cause
10 to be tried at the bar thereof, in the same manner in
11 which other civil causes are there tried, by the jurors
12 there returned and empanelled, unless said court shall
13 choose to send the same to be tried at the bar of the
14 court of common pleas for the same county, which
15 they are hereby authorized to do ; such application
16 for a jury shall be filed within sixty days after the
17 award shall have been made and returned by the com-
18 missioners.

1 SECT. 2. The commissioners appointed under said
2 act in any case, shall, in addition to the powers in and
3 by said act conferred, have power to prescribe the
4 rates of speed at which the cars, passengers and mer-
5 chandise of branch roads shall be drawn over the
6 trunk road with which it is connected.

1 SECT. 3. The award of such commissioners, or
2 verdict of the jury, as the case may be, shall be bind-
3 ing upon the parties until it shall have been reversed
4 or altered conformably with the provisions of said
5 act of one thousand eight hundred and forty-five,
6 chapter one hundred and ninety-one, and of this act ;
7 but no such revision or alteration shall be made within
8 two years after the final decision sought to be re-
9 versed.

Amend the second section, by striking out all below the word "to," in the third line, and add as follows:—

1 order that all passenger cars on any branch rail-
2 road which shall be ready, shall be taken by the main
3 trunk road, in connection with the first passenger
4 train that may pass over the main road. Also, they
5 shall have power to pass the same order relating to
6 the taking of freight cars on branch roads, which are
7 ready, in connection with the first freight train run-
8 ning upon the main road.

