

SENATE No. 254.

Commonwealth of Massachusetts.

SENATE, July 16, 1900.

The committee on Railroads, to whom was referred the petition (with accompanying bill, House, No. 1314) of John H. Abbot, mayor, for legislation relative to the abolition of certain grade crossings in the city of Fall River, report the accompanying bill.

For the Committee,

RUFUS A. SOULE.

Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred.

AN ACT

Relative to the Abolition of the Grade Crossings of Brownell Street, and other Streets and Ways in the City of Fall River, and the Railroad of the Old Colony Railroad 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 report of the commissioners
2 appointed by the superior court for the county of
3 Bristol to consider the abolition of the grade
4 crossings of Brownell street and other streets
5 and ways and the road of the Old Colony Rail-
6 road Company in the city of Fall River, filed in
7 said court on the sixteenth day of July of the
8 current year, is hereby confirmed; the Old Colony
9 Railroad Company and the city of Fall River
10 shall make the alterations prescribed in said re-
11 port as therein specified; the Commonwealth and
12 said city and railroad company shall pay the cost
13 of said alterations and of the hearing in the pro-
14 portions prescribed in said report; and all the
15 provisions of chapter four hundred twenty-eight
16 of the acts of the year eighteen hundred and
17 ninety, and all acts in amendment or addition

18 thereto, not inconsistent with this act, shall apply
19 to and govern the proceedings in connection with
20 the abolition of said crossings in the same manner
21 as if the decision and report of said commission
22 had been confirmed by the court: *provided, however,*
23 that there shall be filed in the registry of deeds for
24 the county of Bristol a plan signed by the mayor
25 of said city and the engineer of the railroad com-
26 pany, showing the lands and rights specified in
27 said report to be taken; and to take otherwise
28 than by purchase any such lands or rights there
29 shall be recorded in said registry of deeds a
30 statement that the lands and rights specified
31 therein are taken, for highway purposes or for
32 railroad purposes, as the case may be, for the
33 purpose of abolishing said crossings, and the
34 recording of any such statement shall constitute
35 the taking of the lands and rights specified
36 therein. Every such statement shall be signed
37 by the mayor of the city and the engineer of the
38 railroad company.

1 SECTION 2. This act shall take effect upon its
2 passage.

Passed to be engrossed.

Sent down for concurrence.

HENRY D. COOLIDGE, *Clerk.*

HOUSE OF REPRESENTATIVES, July 16, 1900.

Passed to be engrossed in concurrence.

JAMES W. KIMBALL, *Clerk.*

