

the estimate of said board of the value of lands not then sold and not retained for public use shall be subject to revision as other acts of said board may be under this act; and one-half of the balance of such cost may be assessed as betterments as aforesaid.

SECTION 2. All the work and improvements provided for in said chapter three hundred and twenty-four shall be held to be completed at such time within three years after the passage of this act as said board of aldermen may by vote determine; and the provisions of chapter fifty-one of the Public Statutes shall apply to assessments of betterments made under this act; but this act shall not prevent any assessment of betterments which might have been made if this act had not been passed.

Provisions of P. S. 51 to apply.

SECTION 3. This act shall take effect upon its acceptance by the city council of said city, at any time within six months from its passage. *Approved June 13, 1887.*

Subject to acceptance by city council within three months.

AN ACT TO FURTHER PROVIDE FOR A UNION RAILROAD PASSENGER STATION BETWEEN CHARLES RIVER AND CAUSEWAY STREET IN THE CITY OF BOSTON.

Chap. 410

Be it enacted, etc., as follows:

SECTION 1. The Boston and Maine Railroad, when it shall have leased the franchises and property of the Boston and Lowell Railroad Corporation pursuant to chapter sixty-seven of the acts of the year eighteen hundred and eighty-three, shall, as soon as practicable thereafter, cause plans and drawings to be prepared for a union passenger station on Causeway street, for the use of said Boston and Maine Railroad, the Boston and Lowell Railroad, the Eastern Railroad Company and the Fitchburg Railroad Company and for such approaches thereto, and such changes, re-locations and arrangements of the passenger tracks leading thereto and southerly of Mystic river, as shall avoid as far as practicable the crossings of the passenger tracks of the companies hereinbefore named with each other and with any other railroad or railroads at grade. When said plans and drawings are prepared as above required they shall be furnished to said Fitchburg Railroad Company, which, within six months thereafter, shall either assent to the same or prepare other plans and drawings for the accomplishment of the same purposes. At the expiration of said six months, said plans and

Union railroad passenger station in Boston.

Plans to be prepared and furnished to the Fitchburg Railroad.

drawings, either as agreed to or as prepared by said corporations, respectively, shall be submitted to the board of railroad commissioners, which, after due notice to and hearing of said corporations, and all other parties interested shall approve the same, or one of them, with such changes and alterations in either, and in said station or in the arrangement and location of tracks as in their judgment the safety and convenience of the public and the interests of all said corporations require; and all orders and directions of said board in respect thereto shall be binding on all said corporations.

Boston and
Maine Railroad
to commence
construction
upon approval
of plans.

SECTION 2. Immediately upon the approval of said plans, said Boston and Maine Railroad shall begin the work of constructing said station and of arranging and locating the tracks of said several railroad corporations according to said plans, and shall complete said station and the approaches thereto, together with all changes and arrangements necessary for the use of the same according to said plans within five years from the first day of July in the year eighteen hundred and eighty-seven: *provided, however,* that the Fitchburg Railroad Company shall have the right to do, on its own location, all the work of construction and alteration required under the operation of this act.

Proviso.

Grade crossings
to be done
away with.

SECTION 3. That the grade crossings of the railroads of the several companies above named with each other or with any other railroad or with any highway may be done away with according to said plans, the tracks of any of them may be re-located on the location of any other railroad or elsewhere, may be carried over or under those of any other railroad or of any highway, and all such changes may be made in the grade, location or construction thereof, including the discontinuance of any existing railroad or highway location, as may be requisite. The several corporations herein named and any other railroad corporation affected by the provisions of this act are hereby respectively required to do and consent to all acts and things necessary to enable the Boston and Maine Railroad to construct the union station and make the separations of grade crossings contemplated by this act according to said plans, and to that end each of them may and shall buy or take, or shall permit said Boston and Maine Railroad in its name to buy or take, such additional land or materials as may be requisite. Each of the cor-

porations herein named may sell and convey its interest in any land not required for railroad purposes under the operation of this act. And in the exercise of the powers granted by this act each of said corporations and any person or corporation sustaining damage shall have all the rights, privileges and remedies, and be subject to all the duties, liabilities and restrictions which are or may be provided by the general laws in the like cases, except as herein otherwise provided.

Damages.

SECTION 4. The cost of said station, of the approaches thereto, of the separations of grade crossings and of the re-locations and arrangements of tracks provided for by this act shall be borne in the first instance by the Boston and Maine Railroad, which for such purposes may issue bonds to such amount as may be required, to be called Boston and Maine Terminal Bonds, and to be in addition to any bonds it may be authorized to issue under general laws. But the cost of land acquired and added to the property of any other railroad corporation, the cost of re-grading and reconstructing the road of such other corporation on its own land or location, and its due proportion of the cost of carrying its road over or under the road of any other corporation, or over or under any highway, shall as soon as ascertained be repaid by such corporation to said Boston and Maine Railroad, and be by it carried to a sinking fund for the payment of said terminal bonds: *provided, however*, that nothing herein shall be construed to in any way affect the contracts of said Boston and Maine Railroad with the companies whose roads are leased by it. Said station, with all the tracks and approaches thereto on land of the said Boston and Maine Railroad or of corporations whose roads are leased by it, shall be kept in repair by and shall be in charge of said Boston and Maine Railroad, except as respects the offices and tracks assigned for the separate use of said Fitchburg Railroad Company, as hereinafter provided. The Fitchburg Railroad Company shall use said station, and shall have in said station the exclusive use and control of a group of at least six tracks as well as of independent corporation and ticket offices, and for the use of said station and of the tracks and approaches thereto on land of the said Boston and Maine Railroad, or of corporations whose roads are leased by it, shall pay semi-annually a reasonable rent, which rent, if not agreed to by the parties, shall be deter-

Cost of station, etc., to be borne in the first instance by the Boston and Maine Railroad.

Not to affect contracts of the Boston and Maine Railroad with companies whose roads are leased by it.

mined by the board of railroad commissioners and may be revised and altered thereafter from time to time at intervals of not less than five years, upon a petition presented to said board by either the Boston and Maine Railroad or said Fitchburg Railroad Company, which rent shall not be increased or decreased in consequence of change of value of the land, except so far as the change may affect the taxes paid by the Boston and Maine Railroad.

Rules and regulations for use of station to be made by the railroad commissioners.

SECTION 5. The board of railroad commissioners shall, upon the application of either of said corporations, make and establish such rules and regulations for the use of said station by said corporations as it deems just and reasonable, and upon like application may change the same from time to time.

Tide-waters or lands of the Commonwealth not to be occupied without consent of the harbor and land commissioners.

SECTION 6. Nothing in this act shall authorize the taking or occupation of any tide-waters or lands belonging to the Commonwealth or any rights or privileges therein, nor authorize the erection of any structure in tide-water without the consent in writing of the board of harbor and land commissioners and except in accordance with the provisions of chapter nineteen of the Public Statutes, or be construed to permit the access to the sea of the littoral proprietors on Miller's river above the existing railroad bridges of the Boston and Maine Railroad and Eastern Railroad Company to be obstructed or interrupted except in the manner provided by chapter three hundred and two of the acts of the present year or by bridges with suitable draws, said bridges and draws to be consented to and approved by the board of harbor and land commissioners.

SECTION 7. This act shall take effect upon its passage.

Approved June 13, 1887.

Chap. 411 AN ACT CONCERNING THE MILITIA OF THE COMMONWEALTH OF MASSACHUSETTS.

Be it enacted, etc., as follows:

Enrolment of the militia.

SECTION 1. Every able-bodied male citizen, resident within this state, of the age of eighteen years and under the age of forty-five years, excepting persons exempted by sections two, three and five, and idiots, lunatics, common drunkards, vagabonds, paupers and persons convicted of any infamous crime, shall be enrolled in the militia. Persons so convicted after enrolment shall forthwith be disenrolled; and in all cases of doubt respecting