



City of Cambridge

IN CITY COUNCIL,

ORDERED:

March 24, 1931.

That the Superintendent of Streets be authorized to set edgestones upon the sidewalks in the streets hereinafter named. The expense thereof to be charged to the appropriation for Street Department (Paving: — Edgestones and Sidewalks). The cost of materials furnished to be assessed upon the owners of abutting estates according to law.

8-10-12 Blacknall St. - Petition of Oliver & Estelle

Springer, Owners, Block Plan 122, Lot 49.

Stearns St. side of 35 Sherman St. - Petition of Julia

Gareri, Owner, Block Plan 228, Lot 21.

3-5-7-9 Harrison Ave. - Petition of Walter Connell &

Joseph Breen - Owners, Mary G. Connell and

Catherine E. Breen - Block Plan 188,

Lots 35 and 36.

In City Council MAR 24 1931
Adopted by the affirmative vote
of 12 members.

Executive Department MAR 26 1931
Approved Richard W. Russell
Mayor

Frederick H. Russell City Clerk.

City of Cambridge.

MAR 26 1931

ORDER

For Setting Edgestones in
Certain Streets

Presented to the Mayor

for approval.

Frederick H. Burke

City Clerk

Commonwealth of Massachusetts.

MIDDLESEX, SS.

At a meeting of the County Commissioners for the County of Middlesex, holden at Cambridge, within and for said County, on the first Tuesday of January, in the year of our Lord one thousand nine hundred and ~~twenty~~ thirty-one

John Reardon and Sons Corporation of Cambridge,

in said County, by its petition to said Commissioners—among other matters—prays for authorization to construct a private track across Erie Street and upon Waverly Street in the City of Cambridge at a grade therewith as will more fully appear, reference being had to the petition filed of record in the case.

The petition was presented to the County Commissioners at their meeting holden at Cambridge, within and for said County, on the first Tuesday of January, A.D. 19~~21~~/31, when and where notice was ordered given to all persons and corporations interested therein of the time and place when and where said Commissioners would meet for the purpose of viewing the premises and hearing the parties as by their order of notice on file and of record will more fully appear.

And thence said petition has been continued to this time.

And now the said Commissioners make partial return of their proceedings in the premises, as follows: said Commissioners having given notice as the law directs, met at the Court House in said Cambridge, on the twenty-first day of April, in the year nineteen hundred and thirty-one, when and where the parties appeared, to wit, the petitioners by Frank J. Carney, Esq.

and the respondent by and no person appeared to object.

The premises having been examined, and the parties fully heard, said Commissioners

find that public necessity requires that said railroad track for private use be constructed upon and across Erie Street and upon Waverly Street, in said Cambridge, at a grade therewith. ###

IN WITNESS WHEREOF, WE, the said County Commissioners have hereunto set our hands this twelfth day of May in the year of our Lord one thousand nine hundred and thirty-one.

Erson B. Barlow

Melvin G. Rogers Assoc. Commissioner

In these proceedings, Mr. Wardwell of Cambridge, a County Commissioner, was unable to attend and the other members gave notice to Melvin G. Rogers of Tewksbury, an associate Commissioner, who appeared in behalf of Mr. Wardwell.

A true copy,
Attest:-

Ann G. Grahame

Asst. Clerk.

John Reardon and Sons Corp.,
Petr., for authorization
to construct a private track
across Erie Street and upon
Waverly Street, in the city
of Cambridge.

Copy of
PARTIAL RETURN.

MAY 19 1931
In City Council _____

PLACED ON FILE

Frederick H. Burke City Clerk

Commonwealth of Massachusetts.

MIDDLESEX, SS.

At a meeting of the County Commissioners for the County of Middlesex, holden at Cambridge, within and for said County, on the first Tuesday of June, in the year of our Lord one thousand nine hundred and thirty-one

John Reardon and Sons Corporation of Cambridge,
in said County, by its petition to said Commissioners—among other matters—pray **for authorization to construct a private track across Erie Street and upon Waverly Street in the City of Cambridge at a grade therewith** as will more fully appear, reference being had to the petition filed of record in the case.

The petition was presented to the County Commissioners at their meeting holden at Cambridge, within and for said County, on the first Tuesday of January, A.D. 1931, when and where notice was ordered given to all persons and corporations interested therein of the time and place when and where said Commissioners would meet for the purpose of viewing the premises and hearing the parties as by their order of notice on file and of record will more fully appear.

On the twelfth day of May, 1931, said crossing at grade was adjudged to be of public necessity and thence said petition has been continued to this time.

And now the said Commissioners make final return of their proceedings in the premises, as follows: ~~said Commissioners having given notice as the law directs, met at~~ in said, ~~on the~~ day of, ~~in the year nineteen~~ hundred and, ~~when and where the parties appeared, to-wit, the~~ petitioner—by and the respondent—by—

The premises having been examined, and the parties fully heard, said Commissioners

having found that public necessity requires that said railroad track for private use be constructed upon and across Erie Street and upon Waverly Street, in said Cambridge, at a grade therewith; and it also appearing that the Department of Public Utilities of the Commonwealth by its order dated May 23, 1931, has consented to the construction and maintenance of the proposed railroad track at grade, it is hereby ordered that, subject to the limitations, conditions, and restrictions contained in the order of the City Council of the City of Cambridge dated May 17, 1931, authorizing the construction of said track, and subject to the restrictions and limitations imposed by the order of said Department of Public Utilities, the County Commissioners hereby authorize and require that said railroad track for private use shall be constructed at the premises described in the petition at a grade with said streets in such a manner as not to impede or obstruct the traffic on said streets, the rails to be laid so as to be level with the paving, and in accordance with the directions which may be given by the authorities of Cambridge having in charge the streets of said City.

IN WITNESS WHEREOF, WE, the said County Commissioners have hereunto set our hands this ninth day of June in the year of our Lord one thousand nine hundred and thirty-one.

Erson B. Barlow

Nathaniel I. Bowditch

A true copy,

Attest:-

Anna G. Graham
Asst. Clerk.

C.C. 1564.

John Reardon and Sons Corpora-
tion, Petrs., for authorization
to construct a private track
across Erie Street and upon
Waverly Street, Cambridge, at
a grade therewith.

Copy of

FINAL RETURN.

in City Council JUN 16 1931

PLACED ON FILE

Frederick H. Burke City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred and Thirty-one

~~March 3, 1931~~

AN ORDINANCE

Granting John Reardon and Sons Corporation the right to construct a Railroad for private use in the transportation of freight upon and across Erie Street and upon Waverly Street

Be it ordained by the City Council of the City of Cambridge as follows:

On the petition of John Reardon and Sons Corporation, by Edmund Reardon, President, for permission to lay down, construct, maintain and operate a spur track for private use in the transportation of freight from a point on Waverly Street at its intersection with Erie Street, southwesterly upon and across Erie Street and upon Waverly Street about 200 feet, substantially as shown on plan entitled: "Boston & Albany R. R., N. Y. C. R. R. Co. Lessee, Boston Division, Grand Junction Branch - Proposed Siding for John Reardon & Sons Corp., Cambridge" said plan being dated January 28, 1927 and now on file in the office of the City Clerk, that the consent of this City Council be and hereby is granted to said petitioner, their grantees, successors and assigns to lay down, construct, maintain and operate said track and to use steam and other motive power in the operation of its cars, subject to conditions and provisions as hereinafter set forth upon and across the aforesaid streets.

FIRST: This consent is given not only for the use of said railroad by the petitioners, their grantees, successors and assigns, but also for the use of such other party or parties as may in the future desire to use the same or such additions thereto as may from time

to time be granted by subsequent City Councils. Such other party or parties as may hereafter use said railroad or any addition to the same shall pay to the petitioners, or other parties constructing the same, their grantees, successors and assigns, such sum as may be just and reasonable and, in case of failure of parties to agree upon the said rental, the same shall be determined by the Department of Public Utilities of Massachusetts or any commission or board succeeding to its powers.

SECOND: This consent to use steam or other motive power and the location of such railroad tracks for freight purposes are subject to the provisions of law relative to the crossing of highways and travelled places by railroad corporations and also subject to the Ordinances of the City, now and hereafter made relative to the opening of streets, which may be applicable thereto.

THIRD: All trains of cars and separate cars detached from trains shall be preceded at a safe distance by a man with a flag by day or a lantern at night to warn people upon said highway, and no cars shall be run on said highway at a speed exceeding six miles per hour, or at any time except between the hours of 8 and 11 A. M. and 1 to 5 P. M. and 7 P. M. to 6 A. M.

FOURTH: Before constructing such railroad, or any part thereof, the party or parties proposing to construct the same shall file, with the Superintendent of Streets and the City Engineer of said city, a plan and specifications showing in detail the method of construction and the materials to be used.

FIFTH: Within the limits of Erie Street and Waverly Street the rail used in the construction of said railroad shall be satisfactory to the Superintendent of Streets and the City Engineer of said city, and

the location of such tracks in and across the aforesaid streets, and the curvatures shall be substantially as indicated upon the plan above mentioned.

SIXTH: No cars shall be run over or upon such railroad until the method of construction and the materials used shall have been approved by the Superintendent of Streets and the City Engineer of said city.

SEVENTH: The engines to be used in such operation shall be engines such as are usually used in freight yards.

EIGHTH: The petitioners, their grantees, successors and assigns shall keep said tracks, and any additions to the same from time to time, and at all times, in such condition and repair as may be satisfactory to the Superintendent of Streets of said city.

NINTH: No car or cars shall be allowed to stand in said Erie Street and Waverly Street.

TENTH: This consent may be revoked in whole or in part at any time by the City Council or other officers having jurisdiction in the premises and, upon such revocation, the parties so constructing the railroad, their successors, grantees or assigns shall at their own expense, within thirty days, remove such tracks and restore the street from which such tracks are removed, to a condition satisfactory to the Superintendent of Streets, or other municipal officer having charge of the repair of the streets. If the parties so constructing such railroad, their grantees, successors or assigns, do not remove such tracks, then the city may, at the expense of such parties remove such tracks and restore the streets to the condition as above required.

ELEVENTH: The said petitioners or their successors or assigns as principals, shall give to the City of Cambridge, a bond, with satisfactory sureties, in the sum of TEN THOUSAND DOLLARS (\$10,000) conditioned to comply with all such conditions and provisions above stated, also to indemnify and save harmless the City of Cambridge from all damage, cost, liability and expense whatsoever incident to and arising out of the construction, use and maintenance of said track, and also further conditioned to indemnify and save harmless the city from all damage, cost, liability and expense whatsoever incident to and arising out of this permit or license.

Additional bonds and sureties shall be given from time to time by the petitioners, their grantees, successors and assigns, as ~~when~~ and when the said City Council or other officers having jurisdiction in the premises may from time to time order. The form of said bonds shall be satisfactory to the City Solicitor.

This consent is hereby given as aforesaid providing that the work of constructing said railroad shall begin within two years from the date of approval of this order and subject also to the condition precedent that a written acceptance thereof by said petitioners shall be filed with the City Clerk agreeing for themselves, their grantees, successors and assigns to abide by and comply on their part with all the conditions and provisions of this order, the form of such acceptance to be satisfactory to the City Solicitor.

In City Council MAR 3 1931

Passed to a 2nd Reading

MAR 17 1931

Passed to be ordained.

Fredrick M. Burke

City Clerk

Jeremiah J. O'Brien

President

Executive Department

Approved

MAR 19 1931
Richard W. Russell
Mayor

MAR 19 1931

Presented to the Board

for approval

Received by the Board

ELLEVANTH: The said petitioners or their successors or assigns shall give to the City of Cambridge, a bond, with satisfactory sureties, in the sum of TEN THOUSAND DOLLARS (\$10,000) conditioned to comply with all such conditions and provisions above stated, also to indemnify and save harmless the City of Cambridge from all damage, cost, liability and expense whatsoever incident to and arising out of the construction, use and maintenance of said track, and also further conditioned to indemnify and save harmless the city from all damage, cost, liability and expense whatsoever incident to and arising out of this permit or license.

Additional bonds and sureties shall be given from time to time by the petitioners, their grantees, successors and assigns, as and when the said City Council or other officers having jurisdiction in the premises may from time to time order. The form of said bonds shall be satisfactory to the City Solicitor.

This consent is hereby given as aforesaid providing that the work of constructing said railroad shall begin within two years from the date of approval of this order and subject also to the condition precedent that a written acceptance thereof by said petitioners shall be filed with the City Clerk agreeing for themselves, their grantees, successors and assigns to abide by and comply on their part with all the conditions and provisions of this order, the form of such acceptance to be satisfactory to the City Solicitor.

City of Cambridge

In City Council March 3, 1931.

The

Committee on Roads and Bridges

to which was referred petition of John Reardon and Sons Corporation for spur track for private use in the transportation of freight upon and across Erie Street and upon Waverly Street

Reports,

Recommending the adoption of the accompanying ordinance granting said petition.



For the Committee.

REPORT

50
Committee on Roads and Bridges
recommending ordinance
for track on Warely St. across
Eric St.

2^d

Carl M. M. 11/14

March 3, 1931.