

Chap. 427 AN ACT RELATING TO STREETS AND SIDEWALKS IN THE TOWN OF FITCHBURG.

Be it enacted, &c., as follows:

Selectmen may fix or alter grades of streets and sidewalks.

SECTION 1. The selectmen of the town of Fitchburg may fix, alter or determine the grades of any streets or sidewalks in said town, and erect permanent monuments indicating such grades; but no such grades shall be established or monuments erected until a full description of such grades is reported to the town, and such grades accepted and allowed at some public meeting of the inhabitants, warned and notified therefor, nor unless such description is filed in the office of the town clerk seven days at least before said meeting. When the grades of any street or sidewalk are established, as aforesaid, said town and the owners of the estates abutting on such street, shall be bound thereby and have the same rights and be subject to the same liabilities, and such streets and sidewalks shall, in determining such rights and liabilities be considered, as if they were to be at once built to the grades so indicated, although said town shall not be required to build such streets or sidewalks to the grades so established until said selectmen shall determine that public convenience and necessity require it, nor until such determination has been reported to, and accepted by the inhabitants of said town, as aforesaid, otherwise than is hereinafter provided; and said town after having paid the damages awarded against them on account of the establishment of such grades, may at any time thereafter build such streets and sidewalks to the grades so established without being subjected to any further damages therefor.

Owner of estate abutting to be bound by grade as fixed, &c.

—if benefited, to pay to town share of expense of establishing grade.

SECTION 2. Any person owning real estate abutting on any street the grades of which, or of the sidewalks on said street, have been established, as aforesaid, which is benefited thereby, shall pay to said town such sum as said selectmen shall assess upon him as his proportionate share of the expense of establishing the grades, and of building such street and sidewalks on such street to such grades; and the sum so assessed upon him shall constitute a lien upon said real estate for two years after it is assessed; and if not paid within ninety days after written notice of said assessment is served upon the owner of said real estate, or his agent, may be levied and collected by a sale of said real estate in the manner provided for the sale of real estate for non-payment of taxes.

If not paid within 90 days, estate may be levied on.

Proceedings as in case of laying out highways.

SECTION 3. All proceedings under this act not otherwise provided for, including a jury in all cases to revise the doings of said selectmen and said town, shall be like those provided by law in cases of laying out town ways; and a jury, if said

town unreasonably neglects to build any such street or sidewalk to the grades so established, may order the same to be done, and such order may be enforced in the way and manner provided by law in cases of neglect by towns to repair ways and bridges.

SECTION 4. This act shall not take effect unless the inhabitants of said town of Fitchburg, at a meeting legally called for that purpose, shall, within one year after its passage, by a majority vote, approve of the same. *Approved June 21, 1869.*

When to take effect.

AN ACT TO AMEND THE CHARTER OF THE PAWNERS BANK OF BOSTON.
Be it enacted, &c., as follows:

Chap. 428

SECTION 1. The Pawners Bank in the city of Boston shall be hereafter called and known as the Collateral Loan Company.

Name changed.

SECTION 2. Section four of chapter one hundred and seventy-three of the acts of eighteen hundred and fifty-nine, is hereby amended so as to read as follows: The charge on loans, to cover expenses of every kind, including interest, need not be uniform, but may be regulated by the bank; but it shall in no case exceed two per cent. per month.

Charge on loans not to exceed two per cent. a month.

SECTION 3. The said bank may loan on pledge of safe securities of every kind, and in addition to the returns required to be made, shall report the amount of the accrued fund specified in the eighth section, and of the amount of the same distributed as provided in the tenth section of the charter of said corporation, and also how said sum was distributed.

Additional returns required.

SECTION 4. Chapter one hundred and seventy-three of the acts of eighteen hundred and fifty-nine, shall not be construed to otherwise limit the division of earnings among the stockholders, than to provide that the aggregate dividends of the company from the beginning shall not exceed an average of eight per centum per annum.

1859, 173, construed.

SECTION 5. No tax shall be levied upon the said company for any year prior to the year eighteen hundred and seventy-five.

Corporation not to be taxed prior to the year 1875.

SECTION 6. This act shall take effect upon its passage.

Approved June 21, 1869.

AN ACT TO CONFIRM CERTAIN ACTS DONE BY ALFRED P. CLARK, AS JUSTICE OF THE PEACE.

Chap. 429

Be it enacted, &c., as follows:

All acts done by Alfred P. Clark of Lawrence, as a justice of the peace within and for the county of Essex, between the eleventh day of September, in the year eighteen hundred and sixty-five, and the tenth day of June, in the

Acts as justice of the peace confirmed.