

SENATE No. 460

The Commonwealth of Massachusetts

SENATE, April 14, 1938.

The committee on Ways and Means, to whom was referred the Senate Bill authorizing the reconstruction of a bridge over the Charles River at Riverside between the city of Newton and the town of Weston (Senate, No. 388), report recommending that the same ought to pass, with an amendment substituting therefor a new draft entitled "An Act providing for the reconstruction of a bridge and its approaches over the Charles River at Riverside Road in Newton and Weston" (Senate, No. 460).

For the committee,

GEORGE G. MOYSE.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Eight.

AN ACT PROVIDING FOR THE RECONSTRUCTION OF A BRIDGE
AND ITS APPROACHES OVER THE CHARLES RIVER AT
RIVERSIDE ROAD IN NEWTON AND WESTON.

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. Subject to the provisions of this act,
2 the metropolitan district commission, hereinafter
3 referred to as the commission, is hereby authorized
4 and directed to lay out and reconstruct the existing
5 bridge over the Charles river at Riverside road in the
6 city of Newton and in the town of Weston, or, in its
7 discretion, to lay out and construct a new bridge
8 and highway approaches thereto, to replace said
9 existing bridge; and in connection therewith may
10 lay out, alter and prescribe the bridge and highway
11 approaches thereto in said city and in said town, for
12 a distance, measured from the abutments of the
13 bridge, not exceeding two hundred and seventy feet
14 on the Newton side and not exceeding two hundred
15 feet on the Weston side; provided, that the general
16 plans for the work herein authorized shall be subject
17 to the approval of the mayor and board of aldermen
18 of said city and of the selectmen of said town.

1 SECTION 2. For the purpose of carrying out the
2 provisions of this act, the commission may acquire
3 by purchase, or by eminent domain under chapter
4 seventy-nine of the General Laws, such lands, rights
5 and easements therein, as the commission may deem
6 necessary; provided, that no damages shall be paid for
7 public lands or parks, parkways or reservations so
8 taken. The commission may also make such alter-
9 ations in connecting ways as may be necessary for
10 carrying out said provisions or any of them.

1 SECTION 3. The cost of constructing said bridge
2 and land takings for the same, including any damages
3 awarded or paid on account of any taking of land
4 or property therefor, or any injury to the same, and
5 all other expenses incurred in carrying out the pro-
6 visions of this act shall not exceed, in the aggregate,
7 ninety thousand dollars, fifty per cent of which shall
8 be paid by the commonwealth, subject to appropria-
9 tion, from the Highway Fund, fifteen per cent shall
10 be paid by the city of Newton, fifteen per cent shall
11 be paid by the town of Weston and twenty per cent
12 shall be assessed upon the municipalities of the met-
13 ropolitan parks district, including Newton and
14 Weston, in proportion to the respective taxable
15 valuations of the property of said municipalities as
16 defined by section fifty-nine of chapter ninety-two
17 of the General Laws.

1 SECTION 4. For the purpose of making the pay-
2 ments required to be made by the city of Newton and
3 the town of Weston under this act, other than the
4 proportionate parts of such cost payable on account

5 of their membership in the metropolitan parks dis-
6 trict, each of said municipalities may borrow such
7 sums as may be necessary, and may issue bonds or
8 notes therefor, payable in not more than five years
9 from the dates thereof. Indebtedness incurred by
10 each of said municipalities under this act shall be
11 outside their respective limits of indebtedness and
12 shall, except as herein provided, be subject to chapter
13 forty-four of the General Laws, exclusive of the limi-
14 tation contained in the first paragraph of section
15 seven thereof. Said municipalities may sell the said
16 securities at public or private sale but not for less
17 than their par value. Said city and town shall each
18 pay to the commission, at such times and in such
19 amounts as they may respectively be directed by the
20 commission so to do, that portion of the cost of the
21 work hereinbefore provided for which is to be paid
22 by said city and said town, other than the propor-
23 tionate part of such cost payable on account of its
24 membership in the metropolitan parks district.

1 SECTION 5. Upon completion of the work herein
2 authorized the city of Newton and the town of Weston
3 shall have joint control of said bridge, and the ex-
4 pense of maintenance thereof shall be borne equally
5 by said city and town.

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