

HOUSE No. 796.

[Bill accompanying the petition of Stephen P. Finnegan. Drainage.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-six.

AN ACT

To authorize the Town of Stoneham to incur Indebtedness for the Purpose of constructing and maintaining a System of Sewerage.

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 town of Stoneham, for the purpose
2 of defraying the expense of constructing and maintain-
3 ing a system of main drains and common sewers, is
4 hereby authorized to issue from time to time notes, bonds
5 or scrip to an amount not exceeding one hundred and thirty
6 thousand dollars beyond the limit of indebtedness fixed
7 by law, to be denominated on the face thereof, "Stone-
8 ham Sewerage Loan, Act of 1896," bearing interest
9 at a rate not exceeding four per cent. per annum, pay-
10 able semi-annually, the principal to be payable at periods

11 of not more than thirty years from the date of issue, and
12 shall be signed by the treasurer and countersigned by
13 the sewer commissioners. Said town may sell said
14 bonds, notes or scrip, or any part thereof, from time to
15 time, at public or private sale; but none of said bonds,
16 notes or scrip shall be issued or sold except in com-
17 pliance with the vote of the town nor for less than the
18 par value thereof.

1 SECT. 2. The receipts from payments, assessments
2 and from such annual rates for the use of such sewers
3 as said town may by vote establish, after deducting the
4 current expenses for and incident to the maintenance and
5 operation of said sewers, shall be applied, first to the
6 payment of the interest upon the bonds, notes or scrip
7 issued under the authority of this act not otherwise
8 provided for, and the balance shall be set apart for the
9 payment or redemption of said bonds, notes or scrip or
10 for the payment of sewer construction and maintenance
11 as the town shall vote, and shall be used for no other
12 purpose. If the said receipts in any one year, not ap-
13 propriated for the construction and maintenance of
14 sewers, shall be insufficient to pay the interest on said
15 bonds, notes or scrip, and the principal as it falls due,
16 then in such case the town shall raise forthwith such sum
17 as will meet said requirement.

1 SECT. 3. The board of sewer commissioners of said
2 town on the written request, made within three months
3 after notification of assessment, of any owner of an
4 estate assessed by said commissioners for its proportional
5 part of the charge of making and maintaining sewers,
6 shall apportion such assessment into such number of
7 equal parts or instalments, not exceeding five, as said
8 owner shall state in such request; and said board shall

9 certify such apportionment to the assessors of said town,
10 and one of said parts or instalments, with interest from
11 the date of said apportionment, at the rate of five per
12 cent. per annum, shall be added by the assessors to the
13 annual tax on such estates for each year next ensuing
14 until all of said parts have been so added and paid :
15 *provided*, that nothing herein contained shall be con-
16 strued to prevent the payment at any time in one pay-
17 ment of any balance of said assessments then remaining
18 unpaid, notwithstanding such prior apportionment. Such
19 assessments shall constitute a lien upon the real estate
20 assessed and shall continue for two years after they are
21 laid, or if the assessment is divided into proportional
22 parts, until the expiration of two years from the time
23 when the last instalment is added by the assessors and
24 remitted to the collector, and shall be collected in the
25 same manner as taxes upon real estate or in an action of
26 contract in the name of the city or town.

1 SECT. 4. This act shall take effect upon its passage ;
2 but no expenditure shall be made, and no liability in-
3 curred under the same, unless this act shall first be
4 accepted by vote of two-thirds of the legal voters of said
5 town present and voting thereon at a legal meeting
6 called for that purpose within one year from the date
7 of its passage.

