

HOUSE No. 1439.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, June 11, 1901.

The committee on Ways and Means, to whom was referred the bill relative to the expense of rebuilding the bridge over the Merrimac River between the city of Newburyport and the town of Salisbury, report that the same ought to pass in a new draft herewith submitted.

For the Committee,

JOSEPH E. BUSWELL.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

Relative to the Expense of rebuilding the Bridge over the Merrimac River between the City of Newburyport and the Town of Salisbury.

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. Section two of chapter four
2 hundred and eighty-three of the acts of the
3 year eighteen hundred and ninety-six is hereby
4 amended by striking out the whole of said section
5 and inserting in place thereof the following:—
6 *Section 2.* The expense incurred under this
7 act shall be paid in the first instance from the
8 treasury of the county of Essex. The Common-
9 wealth shall pay into the treasury of the county
10 of Essex towards the expense of rebuilding the
11 bridge and the approaches thereto provided for in
12 this act the sum of twenty-five thousand dollars.
13 The Haverhill and Amesbury Street Railway

14 Company shall pay into the treasury of said
15 county as their proportion of the expense of such
16 bridge and the approaches thereto a sum equal to
17 ten per centum of said expense, but not exceed-
18 ing, however, the sum of twenty thousand dol-
19 lars: and *provided*, that said Haverhill and
20 Amesbury Street Railway Company shall pay
21 into the treasury of said county the said amount
22 and shall enter into an agreement with the county
23 commissioners of said county to keep that part
24 of the roadway upon said bridge between the
25 tracks of the company and eighteen inches outside
26 thereof in repair and safe for public travel, subject
27 to such conditions as said commissioners shall im-
28 pose. Said company shall thereupon have and is
29 hereby granted a location upon said bridge for the
30 construction and maintenance of its tracks, poles
31 and wires, and for the operation of its railway
32 thereon, and the location herein granted shall not
33 be revoked except by the county commissioners
34 of the county of Essex after public notice and a
35 hearing, but no such revocation shall be valid
36 until approved by the board of railroad commis-
37 sioners. No location for the tracks, poles and
38 wires of any other street railway company upon
39 said bridge shall be granted except by said county
40 commissioners after public notice and a hearing,
41 and no such location so granted shall be valid
42 until approved by the board of railroad commis-
43 sioners, nor shall any such location so granted
44 before the first day of July, nineteen hundred
45 and eighteen, be valid unless with the consent

46 of the Haverhill and Amesbury Street Railway
47 Company. Twenty-seven and one half per
48 centum of the balance of said expense shall, after
49 due notice and a hearing, be assessed by said
50 commissioners upon the city of Newburyport and
51 upon such towns as in their judgment derive a
52 special benefit from said rebuilding and the ap-
53 proaches thereto, and in such proportion as said
54 commissioners deem proper, and said city and
55 towns shall pay the sum so assessed into the
56 treasury of the county of Essex. The total ex-
57 pense incurred under the provisions of this act
58 shall not exceed the sum of two hundred thousand
59 dollars.

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

HOUSE OF REPRESENTATIVES, June 11, 1901.

Passed to be engrossed.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*