

# HOUSE . . . . . No. 801.

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[Bill accompanying the petition of John W. Weeks, mayor, for legislation to authorize the construction of a bridge over the Charles river between the city of Newton and the town of Weston. Roads and Bridges. Feb. 3.]

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## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Three.

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### AN ACT

To provide for the Construction of a Bridge over the Charles River between the Town of Weston and the City of Newton.

*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. Authority is hereby given for the con-  
2 struction of a bridge over the Charles river between the  
3 town of Weston and the city of Newton at or near Com-  
4 monwealth avenue. Said bridge shall be built by the  
5 metropolitan park commission upon plans approved by  
6 it, the selectmen of the town of Weston and the board  
7 of aldermen of the city of Newton.

1 SECTION 2. The cost of the bridge and the approaches  
2 thereto shall not exceed the sum of twenty-five thousand  
3 dollars, and shall be paid in the manner hereinafter pro-  
4 vided by the Commonwealth, the county of Middlesex,  
5 the city of Newton and the town of Weston, and such  
6 other cities and towns as are found to be specially bene-  
7 fited by the use of said bridge for highway purposes.

1 SECTION 3. To meet the expenses incurred under this  
2 act the treasurer and receiver-general is hereby author-  
3 ized, with the approval of the governor and council, to  
4 issue scrip or certificates of indebtedness to an amount  
5 not exceeding twenty-five thousand dollars; such scrip  
6 or certificates of indebtedness shall be issued as bonds,  
7 and shall bear interest at a rate not exceeding four per  
8 centum per annum, payable semi-annually on the first  
9 days of January and July of each year.

1 SECTION 4. The supreme judicial court sitting in  
2 equity shall, upon application of said metropolitan park  
3 commission or of said board of aldermen of said city of  
4 Newton or board of selectmen of the town of Weston,  
5 and after such notice as it may order, appoint three  
6 commissioners who shall, after such notice and hearing,  
7 in such manner as they shall deem just and equitable,  
8 determine which of said cities, towns and counties are  
9 specially benefited by the use of said bridge for high-  
10 way purposes, and the extent of such benefit, and to  
11 what extent the metropolitan park district is benefited  
12 by the use of said bridge for park purposes; and shall  
13 further determine in proportion to such benefits the  
14 part of the cost of said bridge and approaches to be  
15 paid by said cities, towns and counties and the metro-  
16 politan park district, and shall return their award into

17 said court; and when the same has been accepted by  
18 said court it shall be a final adjudication of all matters  
19 herein referred to said commissioners, and shall be  
20 binding upon all parties; and in like manner said com-  
21 missioners shall return and file their award as to the  
22 payment of the cost of maintenance of said bridge, and  
23 determine the proportion in which said cities, towns  
24 and counties shall bear the same.

1 SECTION 5. Upon the filing and acceptance of said  
2 award the treasurer and receiver-general of the Com-  
3 monwealth shall estimate and determine the amount to  
4 be paid in accordance with said award by each of said  
5 cities, towns and counties as their proportion of the cost  
6 of said bridge, and shall include one-fifth part thereof  
7 with interest at the current rates in the sum charged to  
8 said cities, towns and counties in the apportionment  
9 and assessment of its state tax for the succeeding five  
10 years, until the sum to be paid by said cities, towns and  
11 counties has been fully paid. In like manner the treas-  
12 urer and receiver-general shall estimate and determine  
13 the amount to be paid in each year by any city, town  
14 and county, according to the award of said commis-  
15 sioners, for the care and maintenance of said bridge,  
16 and shall include the same in the annual state tax of  
17 such cities, towns and counties and metropolitan park  
18 commissioners; and the sums thus collected shall be  
19 credited to and paid into the funds available by the  
20 metropolitan park commission for the maintenance of  
21 said bridge, and may be expended by them for that  
22 purpose in addition to any loans for park purposes.

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

