

SENATE . . . . . No. 323.

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Commonwealth of Massachusetts.

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SENATE, April 6, 1903.

The committee on Bills in the Third Reading, to whom was referred the Senate Bill relative to the sewerage works of the city of Boston (Senate, No. 243), report recommending that the same be amended by substituting a new draft with the same title (Senate, No. 323), and if so amended the bill will be correctly drawn.

For the committee,

A. N. FROST.

## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred and Three.

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### AN ACT

Relative to the Sewerage Works of the City of  
Boston.

*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 one of chapter four hun-  
2 dred and twenty-six of the acts of the year  
3 eighteen hundred and ninety-seven, as amended  
4 by section one of chapter four hundred and fifty  
5 of the acts of the year eighteen hundred and  
6 ninety-nine, and by section three of chapter four  
7 hundred and seventy-eight of the acts of the year  
8 nineteen hundred, is hereby amended by adding  
9 at the end of said section the words: — Any such  
10 sewerage work aforesaid may hereafter be con-  
11 structed by the superintendent of streets of said  
12 city, or by such other officer as the mayor shall  
13 designate, in any public way or place, or in any  
14 land owned by the city or in which the city has  
15 acquired authority to lay such sewerage work,

16 but before commencing the construction of any  
17 sewer the superintendent or officer shall cause to  
18 be recorded in the Suffolk registry of deeds a  
19 statement of his intention to construct the sewer,  
20 naming the street or otherwise describing the  
21 land in which the sewer is to be constructed and  
22 giving his estimate of the cost thereof, which  
23 statement shall be approved by the mayor, — so  
24 as to read as follows: —

25 *Section 1.* The board or boards authorized to  
26 make appropriations for the city of Boston, by a  
27 majority vote of the members of such board or  
28 boards, approved by the city council of said city  
29 by the affirmative vote of two-thirds of all the  
30 members of each branch thereof, taken by a call  
31 of the yeas and nays, or, if there should be no  
32 such board or boards, then said city council by such  
33 two-thirds vote, may annually appropriate, to be  
34 met by the issue of bonds as hereinafter provided,  
35 sums not exceeding one million dollars in any one  
36 year for constructing sewerage works in said city,  
37 and shall also appropriate, to be met by the annual  
38 income and taxes of said city, sums for maintain-  
39 ing and operating the sewerage works, and such  
40 sums as the city treasurer of said city shall each  
41 year determine to be the amount to be used for  
42 interest on the bonds issued for sewerage works,  
43 and also the amount to be used for the sinking  
44 funds for bonds issued for sewerage works, which,  
45 with all other amounts so used, and their accu-  
46 mulations, will pay all such bonds at maturity;  
47 and there shall also be used for said sinking

48 funds all premiums received from the sale of  
49 said bonds, and all amounts received for breach  
50 of any contract for constructing sewerage works,  
51 or for securities deposited as security for making  
52 such contracts and declared to be forfeited to  
53 the city, or for sales of property. All sewers,  
54 drains, pumping stations and other works for  
55 the collection or disposal of sewage, or surface  
56 or ground water in said city shall be included in  
57 the term "sewerage work", as used in this act,  
58 and no such work shall hereafter be constructed  
59 in said city, except under authority of this act, or  
60 of chapter three hundred and twenty-three of the  
61 acts of the year eighteen hundred and ninety-one  
62 and acts in amendment of or in addition to said  
63 acts or either of them, unless the same has been  
64 ordered to be constructed before the passage  
65 thereof.

66 Any such sewerage work aforesaid may here-  
67 after be constructed by the superintendent of  
68 streets of said city, or by such other officer as the  
69 mayor shall designate, in any public way or place,  
70 or in any land owned by the city or in which the  
71 city has acquired authority to lay such sewerage  
72 work, but before commencing the construction of  
73 any sewer the superintendent or officer shall  
74 cause to be recorded in the Suffolk registry of  
75 deeds a statement of his intention to construct the  
76 sewer, naming the street or otherwise describing  
77 the land in which the sewer is to be constructed  
78 and giving his estimate of the cost thereof, which  
79 statement shall be approved by the mayor.

1 SECTION 2. Section four of said chapter four  
2 hundred and twenty-six is hereby amended by  
3 striking out the words "shall carry out such  
4 order," in the third line, and inserting in place  
5 thereof the words:—shall construct sewerage  
6 works as authorized by section one, and shall  
7 carry out every such order of said board,—so as  
8 to read as follows:—

9 *Section 4.* The superintendent of streets or  
10 such other officer as the mayor of said city shall  
11 from time to time direct shall construct sewerage  
12 works as authorized by section one, and shall  
13 carry out every such order of said board, and  
14 may at the expense of said city construct and  
15 maintain such work under or over any water  
16 course or private land, railroad or public way, in  
17 such manner as not to unnecessarily obstruct or  
18 impede public travel, and may alter or change the  
19 location or grade of any public way in which any  
20 such work is constructed, may alter or change  
21 the course of any water course, and in general  
22 may do any other act or thing deemed by him to  
23 to be necessary in constructing or maintaining  
24 such work.

1 SECTION 3. This act shall take effect upon its  
2 passage.

