

SENATE . . . . . No. 368.

---

---

Commonwealth of Massachusetts.

---

SENATE, May 13, 1908.

The committee on Roads and Bridges, to whom was referred the petition (with accompanying bill, Senate, No. 339) of the county commissioners of the county of Essex for legislation to authorize the construction of a suitable approach to the new bridge across the Merrimac river in the city of Haverhill, report the accompanying bill.

For the committee,

JOS. H. HIBBARD.

## Commonwealth of Massachusetts.

---

In the Year One Thousand Nine Hundred and Eight.

---

### AN ACT

To authorize the County Commissioners of the County of Essex to construct a Suitable Approach to the New Bridge over the Merrimac River in Haverhill.

*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 county commissioners of the  
2 county of Essex are hereby authorized and directed  
3 to construct a suitable approach to the new bridge  
4 over the Merrimac river in the Bradford district,  
5 so called, in the city of Haverhill.

1 SECTION 2. To meet the expenses incurred under  
2 this act the said county commissioners are hereby  
3 authorized to borrow on the credit of the said  
4 county such sum or sums of money as are necessary  
5 to carry out said construction, and the cost of any  
6 land damages in connection with the same.

1 SECTION 3. Upon the completion of said approach  
2 said county commissioners shall file in the office of

3 the clerk of courts for said county of Essex a de-  
4 tailed statement, certified under their hands, of the  
5 actual cost of said approach, and within three  
6 months from the filing of such statement, they shall,  
7 after such notice as they deem proper, and a hear-  
8 ing, apportion and assess upon the city of Haverhill  
9 such part, not exceeding sixty per cent of the ex-  
10 pense of constructing the approach together with  
11 land damages, as they may deem just and reason-  
12 able. Said commissioners shall file in the office of  
13 the clerk of courts of said county a report of such  
14 apportionment, and said clerk shall transmit a true  
15 and attested copy thereof to the mayor of the city  
16 of Haverhill; and said city shall pay its proportion  
17 of said expense, determined by said commissioners  
18 as aforesaid, into the treasury of the county of  
19 Essex, in such manner and within such time as the  
20 commissioners of said county may direct; and if the  
21 said city shall neglect or refuse to pay its propor-  
22 tion required as aforesaid the said commissioners  
23 shall, after notice to said city, issue a warrant  
24 against said city for its proportion, determined as  
25 aforesaid, with interest and the costs of the notice  
26 and warrant, and the same shall be collected and  
27 paid into the treasury of the county, to be applied  
28 in payment of the expense aforesaid. For the fore-  
29 going purposes the city of Haverhill is hereby  
30 authorized to issue from time to time bonds bearing  
31 interest payable semi-annually at a rate not exceed-  
32 ing four per cent per annum and payable within  
33 such periods as the city council shall from time to  
34 time determine. Except as otherwise provided  
35 herein such bonds shall be issued in accordance  
36 with the provisions of chapter twenty-seven of the

37 Revised Laws and acts in amendment thereof and  
38 in addition thereto, but they shall not be reckoned  
39 in determining the legal limit of indebtedness of the  
40 said city.

1 SECTION 4. The said county commissioners are  
2 authorized to take or purchase the lands, rights or  
3 easements which may be required to carry out the  
4 purposes of this act; but in order to take otherwise  
5 than by purchase they shall first record in the regis-  
6 try of deeds for the southern district of the county  
7 of Essex a statement containing a description of  
8 the lands or rights taken, and shall file a plan of the  
9 same in said registry. They shall award such dam-  
10 ages to persons interested in the premises or rights  
11 taken as are assessed in the case of lands taken for  
12 highways; and any person aggrieved thereby may  
13 proceed in the same manner as in the case of land  
14 taken for highway purposes, within one year after  
15 the filing of said statement; but in no event shall in-  
16 terest be recovered against the county for more than  
17 four per cent per annum.

1 SECTION 5. This act shall take effect upon its  
2 passage.