

HOUSE No. 763

Bill accompanying the petition of the selectmen of the town of Fairhaven for legislation relative to the distribution of the expense of maintaining the highway bridge between the city of New Bedford and said town. Roads and Bridges. January 16.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

Relative to the Apportionment of the Expense of the Maintenance of the Highway Bridge between the City of New Bedford and the Town of Fairhaven.

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. At any term of the superior court for the
2 county of Bristol, upon the application in writing of the
3 city of New Bedford or the town of Fairhaven, said
4 court shall, upon such notice as may be deemed proper,
5 appoint a board of three commissioners who, having first
6 duly sworn to the faithful and impartial discharge of
7 their duties, shall, after due notice to all parties interested
8 and a hearing thereon, revise the apportionment as here-
9 tofore determined between the city of New Bedford and

10 the town of Fairhaven of the expense of the care, main-
11 tenance and repairs of the highway bridge between the
12 city of New Bedford and the town of Fairhaven, draw,
13 including approaches, abutments and piers constructed
14 under the provisions of chapter three hundred and sixty-
15 eight of the acts of the year eighteen hundred and ninety-
16 three, and chapter four hundred and thirty-nine of the
17 acts of the year nineteen hundred, and acts in amend-
18 ment of said chapters, and reapportion and determine
19 anew the proportion of said expense that shall be paid
20 by said city of New Bedford and said town of Fairhaven.
21 The report of said commissioners named in this section,
22 or of the major part of the same shall be made in writing
23 and filed in the office of the clerk of the superior court
24 for the county of Bristol, and a copy of the same certi-
25 fied by said clerk shall be forthwith transmitted to said
26 city of New Bedford and said town of Fairhaven; and
27 said court at the term thereof next after the filing of said
28 report shall, unless sufficient cause is shown to the con-
29 trary, accept and confirm said report and enter judgment
30 thereon, and the same shall thereupon be binding upon
31 said city and said town. The expenses and fees of the com-
32 missioners appointed by said court shall be ascertained
33 and determined by said court and paid by the city of
34 New Bedford and the town of Fairhaven as part of the
35 expense of maintenance.

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