

SENATE . . . No. 116.

[Offered as a substitute by Mr. CRANE.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Seven.

AN ACT

To provide for the Maintenance of Chelsea Bridge.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

1 SECT. 1. The supreme judicial court, or any
2 justice thereof, upon application of either of the
3 cities of Boston or Chelsea, shall appoint a board
4 of three commissioners, no one of whom shall be
5 a citizen of either of said cities, and said commis-
6 sioners, after having been sworn to the faithful
7 and impartial discharge of their duties, shall,
8 after notice to both cities, and a hearing, deter-
9 mine and decree in what proportions and manner
10 said cities shall in the future defray the expenses
11 of the maintenance and repairs of Chelsea Bridge,

12 so called, in the county of Suffolk, with its abut-
13 ments, bridges, draws, and piers, and all other
14 expenses properly incurred in the maintenance of
15 the same. In making the said determination the
16 said board of commissioners shall consider in
17 what degree said cities are severally benefited by
18 said bridge as a highway, what changes, if any,
19 have occurred since the judgment of the supreme
20 judicial court entered under the provisions of
21 chapter three hundred and nine of the laws of
22 eighteen hundred and sixty-eight, what acts have
23 been done or money raised by either of said cities
24 in accordance with said judgment, and any other
25 circumstances which in their judgment may bear
26 upon the proportions in which said bridge should
27 be maintained as aforesaid. The determination
28 and decree of said board of commissioners, or that
29 of a majority of them, shall be made in writ-
30 ing, and reported to the supreme judicial court
31 and the mayor and aldermen of each of said cities,
32 and either of said cities shall then have a right to
33 interpose any legal objection thereto. The said
34 decree shall be absolutely binding upon both cit-
35 ies, when accepted, and when judgment has been
36 entered thereon by the supreme judicial court.

1 SECT. 2. The expenses of said commission
2 shall be borne by the said cities of Boston and
3 Chelsea in such proportions as the supreme judi-
4 cial court shall determine.

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