

AN ACT RELATIVE TO THE CONSTRUCTION OF CERTAIN MAIN AND PARTICULAR SEWERS IN THE EASTERLY SECTION OF THE CITY OF MELROSE. *Chap.226*

*Be it enacted, etc., as follows:*

SECTION 1. The city of Melrose, acting through its board of aldermen, is hereby authorized to assess upon the owners of estates which derive particular benefit or advantage from any system of main drains and common sewers which may be constructed by said city, with the aid of federal funds, in that portion of the easterly section of said city shown on a plan entitled "Plan of Area in Easterly Section of Melrose, Mass. to be served by Proposed Sewer, Feb. 21, 1939, Public Works Dept. Melrose, Mass. Fred E. Ellis, Engr. and Supt.", sums equal, in the aggregate, to not more than one half of so much of the cost of such construction as is paid by said city from funds other than those made available by the federal government, at a fixed uniform rate according to both frontage and area, as authorized by section fifteen of chapter eighty-three of the General Laws, any provision of any general or special law or of any ordinance of said city to the contrary notwithstanding.

SECTION 2. Assessments under the preceding section shall be levied and collected in accordance with the provisions of chapter eighty-three of the General Laws; provided, that such assessments shall bear interest at a rate not more than one per cent in excess of the rate which said city shall pay for a loan for the purposes of said sewer system, but, in no case, more than six per cent, from the thirtieth day after the assessments have been committed to the collector; and provided, further, that the maximum number of portions into which the assessments may be apportioned under section thirteen of chapter eighty of the General Laws shall be twenty instead of ten. Interest on any amount of such assessments remaining unpaid shall be computed in the manner hereinbefore provided.

SECTION 3. The time of the payment of assessments made under this act may be extended as provided in section nineteen of said chapter eighty-three; provided, that whenever the time for the payment of any assessment is so extended for a definite period and the land to which such assessment relates is not built upon at the expiration of such time, the time may be further extended as determined by the board of aldermen. If the time for the payment of assessments is so extended, no demand for payment thereof shall be made by the collector within six months after the termination of such definite period or after such land is built upon, whichever occurs first, and within said six months the assessments may be apportioned under said section thirteen of chapter eighty of the General Laws, as affected by section two of this act.

SECTION 4. The said city of Melrose, acting through its engineer and superintendent of public works, may, upon application of the owner of any estate abutting on any way where a sewer is constructed in the easterly section of said city referred to in section one of this act, lay in such sewer way and in the private land of such owner such particular sewer or connecting drain as may be necessary to connect any building on such estate with such main drain or sewer, and said officer may make all necessary contracts in the name of and in behalf of said city for such purpose. The expense thereof shall be paid out of any appropriation that may be made by the board of aldermen therefor.

SECTION 5. The cost of constructing each particular sewer or connecting drain shall be assessed by the said engineer and superintendent of public works upon the estate benefited thereby. Such assessment shall be made by filing with the board of assessors of the city a certificate, designating the way and the private land in which such particular sewer or connecting drain has been constructed, and giving the name or names of the owners of the estate for which such connection has been made and the amount of the assessment to be paid by such owner or owners. A copy or duplicate of this certificate shall, within ten days after the filing of the same with the board of assessors, be recorded in the registry of deeds for the southern district for the county of Middlesex, or, in the case of registered land, filed in the office of the assistant recorder for the Middlesex county registry district. The board of assessors shall, upon receipt of such certificate, forthwith commit such assessments or charges with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments or charges, and every owner shall, within three months after such demand is served upon him or upon the occupant of the estate, or sent by mail to the last known address of the owner known to the collector of taxes, pay to the collector of taxes the sum assessed or charged under this section.

SECTION 6. Except as herein provided, the provisions of general law relative to the assessment, apportionment, division, re-assessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments for particular sewers made under this act. In applying said provisions to assessments so made for particular sewers, the notice therein referred to shall be deemed to be the demand of the tax collector required by section five hereof. The lien for any assessment for particular sewers made under this act shall attach upon the recording or filing for registration of the copy or duplicate of the certificate of assessment.

SECTION 7. This act shall take full effect upon its acceptance, within two years after its passage, by the board

of aldermen of the city of Melrose, subject to the provisions of its charter, but not otherwise.

*Approved May 19, 1939.*

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AN ACT FURTHER REGULATING THE POWERS AND DUTIES OF THE CO-OPERATIVE CENTRAL BANK AND AFFECTING THE DISSOLUTION OF CO-OPERATIVE BANKS. *Chap. 227*

*Be it enacted, etc., as follows:*

SECTION 1. Section ten of chapter forty-five of the acts of nineteen hundred and thirty-two, as most recently amended by section one of chapter two hundred and forty-four of the acts of nineteen hundred and thirty-eight, is hereby further amended by adding at the end the following new paragraph: —

The board of directors of the central bank may annually refund to any member bank so much of the deposit of such member bank as exceeds the amount required by section six to be maintained by it.

SECTION 2. Section one of chapter seventy-three of the acts of nineteen hundred and thirty-four, as amended by section two of chapter two hundred and forty-four of the acts of nineteen hundred and thirty-eight, is hereby further amended by striking out the sixth sentence and inserting in place thereof the following: — If any member bank shall fail to pay any assessment lawfully required under this section, the treasurer of the corporation shall notify the commissioner of such failure and the commissioner shall forthwith notify such member bank in writing. The failure of such member bank to make such payment within fifteen days after such notice from the commissioner shall constitute a violation of law within the meaning of section five of chapter one hundred and sixty-seven of the General Laws, and such member bank may be proceeded against as provided in said section.

SECTION 3. Said chapter seventy-three is hereby further amended by striking out section three A, inserted by section four of said chapter two hundred and forty-four, and inserting in place thereof the following: — *Section 3A.* Whenever it shall appear to the commissioner that it is inadvisable or inexpedient for any member bank to continue to transact the business for which it is organized without receiving financial assistance as provided in this section, he may, in his discretion, so notify the corporation, and thereupon, if in the judgment of the directors of the corporation such action may reduce the risk or avert a threatened loss to the corporation, or may facilitate a merger or consolidation of such member bank with another member bank, or may facilitate the sale of assets of such member bank to and the assumption of its liabilities by one or more other member banks, the corporation may, with the approval