

majority of them, on being returned into and confirmed by said court shall be final and binding as to the amount of such additional expense. The company shall, upon being notified by the city engineer, or, in the event of an appeal having been taken, by the commissioners, of the amount of such expense, pay the same into the treasury of the city of Boston, and in default thereof said city may recover the same of the company in an action of contract in said court.

SECTION 4. During the rebuilding of said Broadway bridge the city engineer shall provide and maintain a suitable footbridge in lieu of said highway bridge, for the use of the public travelling on said highway, excepting at such times as it would be unsafe for the public to use such footbridge.

Footbridge to be provided during rebuilding of bridge.

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

Approved July 12, 1900.

AN ACT RELATIVE TO THE ABOLITION OF THE GRADE CROSSINGS OF BLUE HILL AVENUE AND OAKLAND STREET AND THE RAILROAD OF THE NEW ENGLAND RAILROAD COMPANY, IN THE CITY OF BOSTON.

Chap. 453

Be it enacted, etc., as follows:

SECTION 1. The report of the commissioners appointed by the superior court for the county of Suffolk to consider the abolition of the grade crossings of Blue Hill avenue and Oakland street and the road of the New England Railroad Company in the city of Boston, filed in said court on the twenty-fifth day of June of the current year, is hereby confirmed; the New York and New England Railroad Company and the city of Boston shall make the alterations prescribed in said report as therein specified; the Commonwealth and said city and railroad company shall pay the cost of said alterations and of the hearing in the proportions prescribed in said report; and all the provisions of chapter four hundred twenty-eight of the acts of the year eighteen hundred and ninety and all acts in amendment thereof or in addition thereto, not inconsistent with this act, shall apply to and govern the proceedings in connection with the abolition of said crossings, in the same manner as if the decision and report of said commission had been confirmed by the court: *provided, however,* that there shall be filed in the registry of deeds for the county of Suffolk a plan signed by the mayor of said city showing the lands and rights specified in said

Abolition of grade crossings of Blue Hill avenue, Oakland street and the New England railroad.

Proviso.

report to be taken; and, to take otherwise than by purchase any such lands or rights, there shall be recorded in said registry of deeds a statement signed by the mayor of said city that the lands and rights specified therein are taken for highway purposes, or for railroad purposes, as the case may be, for the purpose of abolishing said crossings, and the recording of any such statement shall constitute the taking of the lands and rights specified therein.

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

Approved July 12, 1900.

Chap. 454 AN ACT TO EXEMPT THE BOSTON POLICE RELIEF ASSOCIATION AND THE BANK OFFICERS ASSOCIATION FROM CERTAIN PROVISIONS OF LAW RELATIVE TO FRATERNAL BENEFICIARY CORPORATIONS.

Be it enacted, etc., as follows:

Certain associations exempt from provisions of 1899, 442.

SECTION 1. The Boston Police Relief Association and the Bank Officers Association are hereby exempted from the provisions of chapter four hundred and forty-two of the acts of the year eighteen hundred and ninety-nine, relative to fraternal beneficiary corporations.

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

Approved July 12, 1900.

Chap. 455 AN ACT RELATIVE TO THE ALTERATION OF CERTAIN RAILROAD CROSSINGS IN THE TOWN OF WESTFIELD.

Be it enacted, etc., as follows:

Commission to be appointed upon petition, etc.

SECTION 1. Upon petition of the selectmen of the town of Westfield therefor the superior court or any justice thereof sitting in equity for the county of Hampden, after such notice as the court shall deem desirable, and a hearing, shall appoint a commission of three disinterested persons to perform the duties imposed and exercise the powers conferred upon them by this act.

Raising of bridge over Elm street, Westfield, alteration in certain tracks, roads, etc.

SECTION 2. The members of said commission shall meet as soon as may be after they receive notice of their appointment, and after due notice and hearing shall prescribe the raising of the bridge over Elm street in the town of Westfield, owned by the New Haven and Northampton Company and leased to the New York, New Haven and Hartford Railroad Company, two feet higher than the present height of said bridge above said street, and shall determine and prescribe the kind and manner of such alterations in the tracks, road, bridges or property of said com-