

for erecting and furnishing the same, may appropriate money and incur indebtedness to an amount not exceeding thirty thousand dollars beyond its debt limit as fixed by law, and may issue bonds, notes or scrip therefor, to be denominated on the face thereof, Haverhill Court House and Police Station Loan.

Payment of
loan.

SECTION 2. Such bonds, notes or scrip shall be payable within such periods, not exceeding thirty years from the dates thereof, and shall bear interest at such a rate, as the city council of the city shall determine. The city may sell the same at public or private sale, or pledge them for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper: *provided*, that such securities shall not be sold or pledged for less than the par value thereof, with accrued interest. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes and of acts in amendment thereof and in addition thereto shall apply to the indebtedness hereby authorized and to the securities issued therefor.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved June 14, 1901.

Chap. 507 AN ACT TO AUTHORIZE THE COMMONWEALTH, THE NEW ENGLAND RAILROAD COMPANY, AND THE CITY OF BOSTON TO CARRY OUT CERTAIN OBLIGATIONS RELATING TO NORTHERN AVENUE IN SAID CITY.

Be it enacted, etc., as follows:

Northern
avenue in Bos-
ton laid out,
etc.

SECTION 1. Northern avenue is hereby laid out in the city of Boston from Atlantic avenue near Oliver street easterly to Fort Point channel, thence across said channel by a bridge, and thence across lands of the New England Railroad Company and its lessee, the New York, New Haven and Hartford Railroad Company, and lands of the Commonwealth, as shown on a plan in the office of the harbor and land commissioners, marked "Plan of the Location of Northern Avenue from Atlantic Avenue to and over the lands and flats of the Commonwealth at South Boston, May, 1901. Scale 1 in. = 50 ft. Frank W. Hodgdon, Engineer; Woodward Emery, Charles C. Doten, George E. Smith, Harbor and Land Commissioners"; reserving however to said railroad companies, their successors and assigns, the right to lay and operate

Rights of cer-
tain railroad
companies
reserved.

at grade two tracks along and others across the land owned by them and included within said avenue, and reserving to the Commonwealth and its assigns similar rights in the lands owned by it and included within said avenue. Said avenue shall be a highway: *provided, however,* that the manner of constructing and operating the railroad tracks in and across the same, and the highway traffic and travel upon and other uses of the same shall be regulated, and the location of the tracks along the same shall be determined, by the board of railroad commissioners, who, having due regard to the intent and purpose hereof, shall in writing from time to time prescribe the regulations and may change or modify the same.

Proviso.

SECTION 2. The board of harbor and land commissioners shall forthwith file in the registry of deeds for the county of Suffolk a description, approved by the city engineer of said city, of the lands included within said avenue and the reservations relating thereto as aforesaid, and any person whose property is taken for said avenue and who is entitled to damages therefor, shall have such damages paid by the city as agreed upon by said person and the city engineer, with the approval of the board of harbor and land commissioners; and if the parties cannot agree upon the damages, they shall be determined by a jury of the superior court for the county of Suffolk, under the same rules of law, so far as applicable, as damages sustained by the taking of land for the laying out of highways under general laws are determined, on petition therefor of such person or of the city engineer, filed in the clerk's office of said court within one year after such taking, and judgment shall be entered, costs taxed, and execution issued as in civil cases: but no compensation for occupying for said avenue any lands or flats of the Commonwealth, or of said city, or of said railroads, and no compensation for displacement of tide water, shall be allowed or paid.

Description of lands, etc., to be recorded.

Damages.

SECTION 3. The railroad companies aforesaid shall forthwith release to said city without any compensation therefor, their lands included within said avenue as herein laid out, reserving the right to lay and operate their tracks at grade across and along said avenue as provided in section one: and upon such release all obligations of said companies to release or to convey lands to said city

Railroad companies to release to city of Boston certain lands, etc.

Construction of avenue, etc.

Construction of
avenue, etc.

for avenues in South Boston shall be thereby fulfilled, and the city engineer, in the name and behalf of said city, shall forthwith thereafter construct said avenue from Atlantic avenue to the land of the Commonwealth, and shall construct said bridge on masonry piers and abutments, with a superstructure of iron or steel, or both, having a draw with a passageway not less than sixty feet wide for vessels, and in accordance with such plans and specifications as shall be approved by the board of harbor and land commissioners; and said board, in the name and behalf of the Commonwealth, shall from time to time, in a manner approved by said city engineer, construct the remainder of said avenue and any extensions thereof which may hereafter be made over the lands now owned by the Commonwealth.

Commonwealth
to pay certain
sum to city of
Boston.

SECTION 4. The Commonwealth shall pay to said city from time to time, as the work progresses, upon the order of the board of harbor and land commissioners, the sum of two hundred and twenty-five thousand dollars out of the Commonwealth's Flats Improvement Fund, established by chapter two hundred and thirty-seven of the acts of the year eighteen hundred and seventy-eight, and said city shall use the money so paid to meet the expenses of taking lands and the expenses incurred by said city engineer under authority of this act; and the treasurer of said city, from time to time, on the request of the mayor, shall issue bonds of said city within the debt limit to the amount required, not exceeding five hundred thousand dollars, retain the proceeds thereof in its treasury, and pay therefrom the remainder of the expenses incurred by said city engineer in carrying out the work required of said city or of said engineer under authority of this act.

City may issue
bonds, etc.

When to take
effect.

SECTION 5. This act shall take effect upon its acceptance by the city council of the city of Boston.

Approved June 14, 1901.

Chap. 508 AN ACT TO AUTHORIZE THE CITY OF LYNN TO TAKE AN ADDITIONAL WATER SUPPLY.

Be it enacted, etc., as follows:

City of Lynn
may take an
additional water
supply.

SECTION 1. The city of Lynn may, for the purpose of providing an additional water supply for itself and its inhabitants, take by purchase or otherwise, the water of Ipswich river and its tributaries, including Martin's pond,