

such damages shall be brought after the expiration of two years from the date of the recording of the taking or entering as herein required.

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

*Approved May 5, 1890.*

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO INCUR INDEBTEDNESS OUTSIDE OF ITS DEBT LIMIT TO PROCURE AND CONSTRUCT ONE OR MORE PUBLIC PARKS IN THE CHARLESTOWN DISTRICT OF THE CITY OF BOSTON.

*Chap. 271*

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

SECTION 1. The city of Boston, for the purpose of procuring and constructing one or more public parks in the Charlestown district of said city, may authorize the city treasurer of said city to issue from time to time, as the mayor of said city may request, bonds or certificates of indebtedness to an amount not exceeding two hundred thousand dollars, to bear interest payable semi-annually at such rate not exceeding four per centum per annum as shall be fixed by said city.

May incur indebtedness beyond the limit for public parks in the Charlestown district.

SECTION 2. Said treasurer shall sell such bonds or certificates as issued and retain the proceeds thereof in the treasury of the city, and pay therefrom the expenses incurred for the purpose aforesaid: *provided, however,* that he shall pay over to the board of commissioners of sinking funds of said city any premiums received by him in the sale of such bonds or certificates; and said board shall place all amounts so paid by said treasurer into the sinking fund for the payment of the loan hereby authorized.

Treasurer to sell bonds, etc.

Premiums to be paid to commissioners of sinking funds.

SECTION 3. The indebtedness incurred under this act shall not, until after the first day of November in the year eighteen hundred and ninety, and then shall, be considered or reckoned in determining the authorized limit of indebtedness of the city of Boston under the provisions of section four of chapter twenty-nine of the Public Statutes as modified and amended by section two of chapter one hundred and seventy-eight of the acts of the year eighteen hundred and eighty-five.

Limit of indebtedness. P. S. 29, § 4. 1885, 178, § 2.

SECTION 4. Whenever said city shall have authorized the city treasurer to issue bonds or certificates of indebtedness as provided in the preceding sections, the park commissioners of said city may take in fee, by purchase

Commissioners may take land when issue of bonds is authorized.

or otherwise, land in the Charlestown district of said city of an assessed value not exceeding one hundred and fifty thousand dollars, for one or more public parks, and may expend the balance of the proceeds of the bonds or certificates of indebtedness remaining after such lands have been paid for in constructing or preparing such parks for public use.

A description of land taken to be recorded in the registry of deeds.

SECTION 5. Said city shall, within thirty days from the time when it shall take any lands under this act, cause to be recorded in the office of the register of deeds for the county of Suffolk a description of the lands so taken, as certain as is required in a common conveyance of land, with a statement of the purpose for which such land is taken; said description and statement to be signed by the mayor of said city.

Damages to be paid by the city of Boston.

SECTION 6. The city of Boston shall pay all damages which shall be sustained by any person in his property by reason of any taking of land as aforesaid, and in case the parties cannot agree upon the damages the city or any party interested may have the damages determined by a jury at the bar of the superior court for said county, in the same manner as a party may have damages caused by the taking of land for highways in said city determined when dissatisfied with an estimate of such damages made by the street commissioners of said city; and costs shall be taxed as in civil cases.

SECTION 7. This act shall take effect upon its passage.

*Approved May 5, 1890.*

*Chap. 272* AN ACT TO AUTHORIZE THE NEW LONDON NORTHERN RAILROAD COMPANY TO LEASE ITS ROAD TO THE CONSOLIDATED RAILROAD COMPANY OF VERMONT.

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

May lease its road to the Consolidated Railroad Company of Vermont.

SECTION 1. The New London Northern Railroad Company may lease its railroads, franchises and other property to the Consolidated Railroad Company of Vermont, its successors and assigns, for a term not exceeding ninety-nine years: *provided, however,* and this permission is upon condition that any lease executed by virtue hereof shall contain an express stipulation on the part of both lessors and lessees, that the Connecticut River Railroad Company may at any and all times during the continuance of said lease have reasonable rights and powers to run, upon reasonable terms and conditions, its trains over that

Conditions of lease.