

*Chap. 70* AN ACT RELATING TO THE ABOLITION OF GRADE CROSSINGS IN THE CITY OF NEWTON.

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

Abolition of  
grade crossings  
in the city  
of Newton.  
1890, 428.

SECTION 1. Authority is hereby given to the mayor and aldermen of the city of Newton, and to the directors of the Boston and Albany Railroad Company, to include in any petition under the provisions of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety for the abolition of grade crossings upon the main line of said railroad company, any and all crossings of said railroad by ways above the grade of said railroad, and also all private ways over or across said railroad or the property of said railroad company; and the superior court and the justices thereof, and any commission appointed thereby, are also authorized to deal with and to include any and all such crossings above grade and private ways in any proceedings relating thereto, to the same extent as if they were respectively crossings of public ways at the level of the railroad; and said court and commission are authorized to make, by suitable openings or otherwise, provision for future crossings of said railroad by new streets to be hereafter laid out; and all provisions of said chapter four hundred and twenty-eight and any acts in amendment thereof shall apply to all the provisions of this act and crossings named therein.

Recovery of  
damages.

SECTION 2. Any owner of private rights of way over said railroad, whose rights of way are injured or destroyed by any proceedings under this act, may recover damages therefor in the manner damages may be recovered under said chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety and acts amendatory thereof.

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

*Approved March 17, 1892.*

*Chap. 71* AN ACT TO AUTHORIZE THE CITY OF SOMERVILLE TO PROVIDE FOR THE PAYMENT OF ITS FUNDED DEBT BY ANNUAL PAYMENTS OF SUCH AMOUNTS AS WILL IN THE AGGREGATE EXTINGUISH THE SAME WITHIN THE TIME LIMITED BY LAW.

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

1887, 194,  
§ 2 amended.

SECTION 1. Section two of chapter one hundred and ninety four of the acts of the year eighteen hundred and eighty-seven is hereby amended by striking out all after the word "payment", in the sixteenth line, and inserting

in place thereof the following words: — and for the payment from time to time of the outstanding notes, bonds or scrip, which shall constitute the said remainder of its indebtedness, as they shall severally mature, in such annual proportionate sums as will extinguish, or in annual payments of such amounts as will in the aggregate extinguish, said indebtedness or the loans incurred in payment of the same or any part thereof, within the time hereby authorized; and the amount required for such payments shall without further vote be assessed by the assessors of said city in each year thereafter until the said indebtedness shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes, — so as to read as follows: — *Section 2.* The said city, availing itself of the provisions of the foregoing section, may issue new notes, bonds or scrip, from time to time, as the outstanding notes, bonds or scrip, which shall then constitute the remainder of its indebtedness, shall severally mature, for the purpose of providing for the payment of the same, and may make said notes, bonds or scrip, so issued as aforesaid, payable at a time not exceeding twenty years from the date of said issue, and shall at the time of said issue establish a sinking fund and contribute thereto from year to year an amount raised annually by taxation sufficient, with its accumulations, to pay said notes, bonds or scrip, so issued as aforesaid, at their maturity; or, instead of providing for the payment of the said remainder of the said indebtedness in the manner just before provided, the said city may provide for its payment, and for the payment from time to time of the outstanding notes, bonds or scrip, which shall constitute the said remainder of its indebtedness, as they shall severally mature, in such annual proportionate sums as will extinguish, or in annual payments of such amounts as will in the aggregate extinguish, said indebtedness or the loans incurred in payment of the same or any part thereof, within the time hereby authorized; and the amount required for such payments shall without further vote be assessed by the assessors of said city in each year thereafter until the said indebtedness shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

May issue new notes, bonds or scrip, and establish a sinking fund.

May make annual proportionate payments instead of establishing sinking fund.

Amount required to be assessed by the assessors.

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

*Approved March 17, 1892.*