

Sinking fund. or any part thereof from time to time, or pledge the same for money borrowed for the above purposes; but the same shall not be sold or pledged for less than the par value thereof. Said city shall pay the interest as it accrues on said loan, and shall establish a sinking fund and shall contribute thereto annually a sum sufficient with its accumulations to pay the principal of said loan at maturity; and said sinking fund shall remain inviolate and pledged to the payment of said principal and shall be used for no other purpose.

May provide for annual proportionate payments.

SECTION 4. The said city of Quincy, instead of establishing a sinking fund, may at the time of authorizing said loan, including any loan under chapter one hundred and sixty-two of the acts of the year eighteen hundred and eighty-three, provide for the payment thereof in such annual proportionate payments as will extinguish the same within the time prescribed in this act; and when such vote has been passed by the city council and approved by the mayor of said city, the amount required thereby shall without further vote be assessed by the assessors of said city in each year thereafter until the debt incurred by said loan 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.

Repeal.

SECTION 5. So much of chapter three hundred and forty-seven of the acts of the year eighteen hundred and eighty-eight and acts in amendment thereof as is inconsistent herewith, is hereby repealed.

SECTION 6. This act shall take effect upon its passage.

Approved June 13, 1892.

Chap. 374 AN ACT RELATING TO THE ABOLITION OF GRADE CROSSINGS ON CHELSEA BRIDGE AND CHELSEA BRIDGE AVENUE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Commission to abolish grade crossings on Chelsea bridge or Chelsea bridge avenue.

SECTION 1. Upon petition of the mayor and aldermen of the city of Chelsea, the superior court, or any justice thereof sitting in equity for the county of Suffolk, after such notice by public advertisement or otherwise as the court shall deem desirable, and a hearing, shall appoint, according to its discretion, a commission of three disinterested persons not residents of the county of Suffolk, who shall, after due notice and a hearing, prescribe the alterations and improvements necessary to abolish or over-

come all grade crossings on that part of Chelsea bridge or Chelsea Bridge avenue crossing Mystic river in Boston in said county.

SECTION 2. The said commission shall prescribe the manner and limits within which such alterations and improvements shall be made, and shall further determine how the work shall be done; and if said commission shall decide that said grade crossings shall be abolished or overcome by carrying the highway by a bridge or superstructure over the present railroad crossings on said bridge or avenue, it may discontinue the present highway under such bridge or superstructure, except so far as the use of the same may be required for the proper and convenient construction, maintenance, alteration and repair of said overhead structure and the foundation and support thereof and of any reconstruction of the same: *provided, however*, that the Lynn and Boston Railroad Company and the Boston and Chelsea Railroad Company shall have the same rights in any superstructure that may be erected hereunder as they have in the present bridge and roadway.

Powers and duties.

Rights of certain corporations in new bridge.

SECTION 3. The Lynn and Boston Railroad Company, subject to the approval of the board of harbor and land commissioners, may build a temporary bridge or bridges, upon which bridge or bridges it may run its cars while said alterations and improvements are being made, and it shall primarily pay all the expenses thereof, including those of removal, and be liable for all damages arising in consequence thereof.

The Lynn and Boston Railroad Company to build temporary bridge.

SECTION 4. The Boston and Maine Railroad shall carry out such alterations and improvements as said commission shall prescribe, and do all the work required therein; and of the cost incurred by said Boston and Maine Railroad in doing said work and making said alterations and improvements, as audited and approved by the auditors provided for in chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety, including in such cost the cost of the hearing and the compensation of the commissioners and auditors for their services, and including also damages mentioned in section five of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety and in all acts in addition thereto or in amendment thereof, and including further all expenses of the Lynn and Boston Railroad Company in changing its tracks to said super-

Boston and Maine Railroad to make the alterations, etc.

Payment of cost, damages and expenses.

structure and in building said temporary bridge, five per centum shall be repaid to said Boston and Maine Railroad by said Lynn and Boston Railroad Company, and thirty per centum shall be repaid to said Boston and Maine Railroad by the Commonwealth, in the same manner and from the same funds that money is paid by the Commonwealth under the provisions of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety; and of the amount so repaid to said Boston and Maine Railroad by the Commonwealth, eighteen per centum shall be repaid to the Commonwealth by each of said cities of Boston and Chelsea, in three equal annual payments of six per centum of said amount.

Cities of Boston and Chelsea to repay Commonwealth their proportion of cost, etc.

SECTION 5. Six per centum of the total amount to be repaid to the Commonwealth by the cities of Boston and Chelsea, as provided in the preceding section, shall be included in and made a part of the sum charged to each of the cities of Boston and Chelsea for each of the ensuing three years, and shall be assessed upon them in the apportionment and assessment of their annual state tax. The state treasurer shall in each of said three years notify each such city of the amount of such assessment, which amount shall be paid by the city into the treasury of the Commonwealth at the time required for the payment, and as a part of its state tax.

Provisions of law applicable.

SECTION 6. Sections four to twelve, inclusive, of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety and all acts in addition thereto or in amendment thereof, shall be applicable to all proceedings under this act, so far as they shall not conflict with the provisions of this act: *provided, however*, that all damages occasioned by the taking of land, whether by either city or said railroad company, shall primarily be paid by said railroad company.

Proviso.

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

Approved June 14, 1892.

Chap. 375 AN ACT TO REPEAL CHAPTER THREE HUNDRED AND THIRTY-ONE OF THE ACTS OF THE YEAR EIGHTEEN HUNDRED AND NINETY-ONE, ENTITLED AN ACT TO SUPPLY THE TOWN OF METHUEN WITH WATER.

Be it enacted, etc., as follows:

Repeal 1891,
331.

SECTION 1. Chapter three hundred and thirty-one of the acts of the year eighteen hundred and ninety-one,