

that the amount apportioned to each parcel shall bear to the total assessable cost the proportion which the number of lineal feet of each parcel on said highway bears to the number of such lineal feet of all such parcels, and a lien shall attach to the parcel and to any buildings which may be thereon for such amount, as a part of the tax on such parcel. Said superintendent shall give notice of the amount of every such assessment to the owner of the estate assessed therefor, forthwith after the amount has been determined.

Provisions applicable.

SECTION 4. The provisions of sections sixteen, seventeen and eighteen of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof shall, so far as applicable, apply to all assessments made under this act.

Provisions applicable.

SECTION 5. Sidewalks in said city shall hereafter be made and paid for only in accordance with the provisions of this act, the provisions of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, and acts in amendment thereof.

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

Approved June 16, 1892.

Chap.402

AN ACT RELATING TO SEWERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Sewers in city of Boston.

SECTION 1. The mayor and aldermen of the city of Boston may order that the superintendent of streets of said city make a sewer or sewers in any highway or strip of land and other places in said city, specifying in the order the locations, sizes and materials for the sewer or sewers, and the said superintendent shall carry out said order.

Expense to be repaid by owners of land.

SECTION 2. Any expenses incurred for any work so ordered and performed shall be paid out of the moneys appropriated under the provisions of section one of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, and shall, to an amount not exceeding four dollars for each lineal foot of sewer, be repaid to said city as the assessable cost of the work, by the owners of the several parcels of land bordering on the highway or strip of land in which the sewer is made.

Apportionment of assessable cost.

SECTION 3. Said superintendent shall so apportion the said assessable cost to the parcels of land aforesaid

that the amount apportioned to each parcel shall bear to the total assessable cost the proportion which the number of lineal feet of each parcel on said highway or strip of land bears to the number of such lineal feet of all such parcels, and a lien shall attach to the parcel and to any buildings which may be thereon for such amount, as a part of the tax on such parcel. Said superintendent shall give notice of the amount of every such assessment and the interest thereon to the owner of the parcel liable therefor, forthwith after such amount has been determined.

SECTION 4. When an assessment is made for a parcel of land for which the owner is by law exempt from being taxed, as determined and certified to by the assessors of said city on application to them therefor, the collector of taxes of said city shall suspend the collection of such assessment, but after the day on which the parcel ceases to be owned by a person or corporation so exempt, the amount of such assessment less any payment made for an entry under the following section shall be collected as if that day were the date of the passage of the aforesaid order for making the sewer.

Suspension of assessment.

SECTION 5. The owner of any parcel of land on which an assessment has been made for said cost and the collection of which has not been suspended, under the provisions of the preceding section, may enter from any part thereof within one hundred and twenty-five feet of said highway or strip of land, a particular drain into such sewer, and the owner of any parcel of land the collection of the assessment upon which has been so suspended, or of any other parcel of land, may, after the amount to be paid for an entry has been fixed by the mayor and aldermen of said city, enter a particular drain from such parcel into said sewer, and there shall be due and payable to said city, upon any such entry, the amount of the assessment apportioned or fixed as hereinbefore provided.

Right of entry.

SECTION 6. The provisions of sections sixteen, seventeen and eighteen of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof shall, so far as applicable, apply to all assessments made under this act.

Provisions applicable.

SECTION 7. Chapter four hundred and fifty-six of the acts of the year eighteen hundred and eighty-nine and chapter three hundred and forty-six of the acts of the year eighteen hundred and ninety are hereby repealed, and

Repeal.

sewers in said city shall hereafter be made and paid for only in accordance with the provisions of this act or the provisions of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof.

SECTION 8. This act shall take effect upon its passage.

Approved June 16, 1892.

Chap.403

AN ACT RELATIVE TO THE TAKING OF LOBSTERS.

Be it enacted, etc., as follows:

Taking of
lobsters regu-
lated.

Any person living without this Commonwealth who shall take any lobsters within the harbors, rivers or waters of the Commonwealth, and carry them or cause them to be carried thence in vessels, shall be fined ten dollars for every offence and shall forfeit all the lobsters so taken. But this act shall not prevent the purchase of lobsters for transportation without the Commonwealth.

Approved June 16, 1892.

Chap.404

AN ACT TO PROVIDE AN OPEN SPACE ON THE EAST SIDE OF THE STATE HOUSE EXTENSION.

Be it enacted, etc., as follows:

Land to be
taken for open
space on east
side of state
house extension.

SECTION 1. For the purpose of securing an open space around the state house, the state house construction commissioners are hereby authorized, in the name and behalf of the Commonwealth, to take by purchase or otherwise, within three months after the passage of this act, the whole of the tract of land in the city of Boston, bounded north by Derne street, east by Bowdoin street, south by Beacon Hill place, and west by the state house.

Description of
lands taken to
be recorded in
registry of
deeds.

SECTION 2. Said commissioners shall, within sixty days after the taking of any lands otherwise than by purchase, cause to be recorded in the registry of deeds for the county of Suffolk a description of the lands so taken, as certain as is required in a common conveyance of lands, with a statement that said lands are taken under the authority of this act; and the title of any lands so taken shall vest absolutely in the Commonwealth in fee.

Damages in case
of failure to
agree to be
determined by
a jury.

SECTION 3. The Commonwealth shall pay all damages sustained by persons in their property by such takings; and if any person sustaining damage, and said commissioners, fail to agree as to the amount of damages so sustained, said person or said commissioners may, within one