

# HOUSE . . . . . No. 241.

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[Accompanying the petition of the Town of Melrose. Drainage.]

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## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Ninety-six.

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### AN ACT

To authorize the Town of Melrose to incur Additional Indebtedness for the purpose of constructing a System of Sewerage.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The town of Melrose, for the purpose of  
2 defraying the expense of laying, making and maintain-  
3 ing a system of main drains and common sewers, is hereby  
4 authorized to issue from time to time as may be required  
5 therefor, in addition to the amount heretofore authorized,  
6 bonds, notes or scrip to an amount not exceeding fifty  
7 thousand dollars; such bonds, notes or scrip shall bear  
8 on their face "Melrose Sewerage Loan, Act of 1896,"  
9 shall be payable at the expiration of periods not exceed-  
10 ing thirty years from the date of issue, shall bear interest  
11 payable semi-annually, at a rate not exceeding four per  
12 cent. per annum, and shall be signed by the treasurer and

13 countersigned by the sewer commissioners of said town.  
14 Said town may sell such securities or any part thereof  
15 from time to time at public or private sale ; but none of  
16 said bonds, notes or scrip shall be issued or sold except  
17 in compliance with the vote of said town, nor for less  
18 than the par value thereof.

1     SECT. 2. The said bonds, together with those hereto-  
2 fore issued for the purpose of laying, making and main-  
3 taining a system of main drains and common sewers,  
4 shall not be included or reckoned in determining the  
5 authorized limit of indebtedness of the town of Melrose.

1     SECT. 3. The board of sewer commissioners of said  
2 town, whenever, upon the completion of such sewer sys-  
3 tem as said town may adopt, or any section thereof, shall  
4 levy an assessment upon the owners of the estates bene-  
5 fited thereby, shall transmit to the collector of taxes of  
6 said town a list of persons assessed, together with the  
7 amount due from each. Each person shall pay his assess-  
8 ment to the said collector within three months after said  
9 list has been so transmitted : *provided*, that the board hav-  
10 ing charge of such assessment may apportion the payment  
11 as provided in section three of chapter three hundred and  
12 twenty-three of the acts of eighteen hundred and ninety-  
13 four. The collector shall serve upon the person assessed  
14 or upon any person occupying or having charge of the  
15 estate upon which the assessment is made, a notice stat-  
16 ing the amount due and the time when the same is pay-  
17 able ; such notice placed in the mail, postage prepaid,  
18 addressed to the owner, occupant or person having charge  
19 of the estate assessed, to his address last known to the  
20 collector, within one month after said list is committed  
21 to the collector, shall be deemed a sufficient notice under  
22 this section. Said assessment shall not be invalid by  
23 reason of any mistake in the name of the owner of real

24 estate to be assessed, notice of such assessment having  
25 been given as aforesaid.

1    SECT. 4. Assessments so made shall constitute a lien  
2 on the estates included in the fixed depth determined by  
3 the said town under the provisions of section seven, chap-  
4 ter fifty of the Public Statutes for two years after the  
5 same are made and committed to the collector for collec-  
6 tion, or in case of apportionment for two years after the  
7 last instalment is due, and may with incidental costs and  
8 expenses be levied by sales of such estate if the assess-  
9 ment is not paid within three months after the date of  
10 notice from said collector that the list has been trans-  
11 mitted to the collector, or if a portion within three months  
12 after each assessment is payable. Such sales to be con-  
13 ducted, and the owners of such estates to have the same  
14 right to redeem as in cases of sales for the non-payment  
15 of taxes. Such assessments may also be collected by  
16 action of contract brought at any time within six years  
17 after the same may be due. Any person aggrieved by  
18 such assessment may apply to the board having charge  
19 of such assessment for an abatement of the same, and may  
20 appeal from the decision of said board in the manner now  
21 provided by law for appeals from assessments for con-  
22 struction of sewers.

1    SECT. 5. Section two of chapter three hundred and  
2 twenty-three of the acts of eighteen hundred and ninety-  
3 four is hereby amended by striking out the words “ assess-  
4 ments and,” so that the town of Melrose may expend all  
5 monies received from assessing upon real estate any part  
6 of the cost of laying, making, maintaining and repairing  
7 common sewers in defraying the expense of laying,  
8 making and maintaining a system of main drains and  
9 common sewers in the town of Melrose.

1    SECT. 6. This act shall take effect upon its passage.

