

Chap. 101.

AN ACT RELATIVE TO THE ASSESSMENT OF THE COSTS OF CERTAIN SEWERS OF THE SEWERAGE SYSTEM IN THE TOWN OF ANDOVER.

Be it enacted, etc., as follows:

The last sentence of section 11 of chapter 386 of the acts of 1895 is hereby amended by inserting after the word "street", in line 5, the words:—, except when a connection which benefits the estate is made to such a sewer,—so as to read as follows:—When a sewer has been built running through land other than a street no assessment shall be made as to said land abutting on said sewer until that part thereof occupied by the sewer has been laid out as a street, except when a connection which benefits the estate is made to such a sewer.

Approved March 9, 1959.

Chap. 102.

AN ACT AUTHORIZING CREDIT UNIONS TO MAKE CERTAIN CONSTRUCTION MORTGAGE LOANS ON REAL ESTATE.

Be it enacted, etc., as follows:

Paragraph 3 of subdivision (B) of section 24 of chapter 171 of the General Laws, as amended by section 1 of chapter 105 of the acts of 1952, is hereby further amended by adding at the end the following sentence:—With the prior written approval of the commissioner of banks, a credit union may make construction mortgage loans on real estate with respect to any of the types of real estate mortgage loans authorized by this chapter.

Approved March 9, 1959.

Chap. 103.

AN ACT PROVIDING THAT COMPENSATION OF EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT OF THE CITY OF MALDEN SHALL BE ESTABLISHED BY THE CITY COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. Chapter 384 of the acts of 1954 is hereby amended by striking out section 2, as amended by section 1 of chapter 110 of the acts of 1955, and inserting in place thereof the following section:—

Section 2. All the powers, duties, facilities, properties and appropriations now or from time to time vested by law or ordinances of the city in the street and water commission, park commission, board of survey, city forester and city engineer of the said city shall vest in and be exercised and performed by the public works commission after the appointment and qualification of its members, provided, however, that the compensation of all the employees of the public works department shall be fixed by ordinance by the city council, notwithstanding the provisions of any general or special law to the contrary. The commission shall have the powers of the board of aldermen under and subject to the provisions of chapter forty, section fourteen, of the General Laws to purchase or take by eminent domain under chapter seventy-nine of the General Laws any land, easement or right therein for the purpose of carrying out any of its powers or duties. Upon the appointment and qualification of the public works commission as aforesaid, the street and water commission, the park commission, the board of

survey, and the office of the city forester shall thereupon be abolished.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Malden, subject to the provisions of its charter, but not otherwise.

Approved March 9, 1959.

Chap. 104.

AN ACT AUTHORIZING THE CITY OF MELROSE TO MAKE TEMPORARY REPAIRS ON CERTAIN PRIVATE WAYS WITHOUT OBTAINING INDEMNIFICATION AGREEMENTS.

Be it enacted, etc., as follows:

So much of section six G of chapter forty of the General Laws as provides that temporary repairs on private ways shall not be undertaken unless and until the mayor and city council have in their possession agreements executed by all abutting owners to release and save the city harmless on account of any damage whatever caused by such repairs, shall not apply to such repairs undertaken by the city of Melrose under the provisions of said section six G.

Approved March 9, 1959.

Chap. 105.

AN ACT RELATIVE TO PROCEDURE FOR THE FORECLOSURE OF MORTGAGES UNDER THE SOLDIERS' AND SAILORS' CIVIL RELIEF ACT.

Be it enacted, etc., as follows:

SECTION 1. The form of notice in section 1 of chapter 57 of the acts of 1943 is hereby amended by striking out the salutation or greeting and inserting in place thereof the following:—

To (insert the names of all defendants named in the bill) *and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:*

SECTION 2. Said section 1 of said chapter 57 is hereby further amended by adding at the end the following paragraph:—

In proceedings under this section, no person who is not entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended, with respect to the mortgage, trust deed or other security described in the bill whether named as a defendant in the bill or not shall be entitled to appear or be heard in such proceeding except on behalf of a person so entitled, or unless an affidavit by the claimant, or a certificate by counsel appearing for him, stating that he is in the service and thus entitled to the benefit of the act, is filed with the appearances. Such proceedings shall be limited to the issues of the existence of such persons and their rights, if any.

Approved March 9, 1959.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 20, 1959.

The Honorable JOSEPH D. WARD, *Secretary of the Commonwealth, State House, Boston, Massachusetts.*

DEAR MR. SECRETARY:—I, Foster Furcolo, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the