

HOUSE No. 213

By Mr. McHugh of Boston (by request), petition of Thomas E. Barry that the Department of Public Works lay out a state highway from a point in the East Boston district of Boston to the McClellan Highway. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-One.

AN ACT AUTHORIZING THE LAYING OUT OF A STATE HIGHWAY FROM THE JUNCTION OF HAVRE AND PORTER STREETS IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON AND CONNECTING WITH THE McCLELLAN HIGHWAY, SO CALLED.

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 department of public works,
2 hereinafter called the department, is hereby au-
3 thorized and directed to lay out a state highway
4 under the provisions of chapter eighty-one of the
5 General Laws over public and private lands and pub-
6 lic and private ways and substantially in the follow-
7 ing location: Beginning at the junction of Havre
8 street and Porter street near the entrance to East
9 Boston vehicular tunnel in the East Boston district
10 of the city of Boston, thence along the line of said
11 Havre street to junction of Brooks street and Ben-
12 nington street, thence along the line of Bennington

13 street through Day square and connecting with the
14 McClellan highway, so called, including an under-
15 pass at Neptune road.

1 SECTION 2. The department may, on behalf of the
2 commonwealth, take by eminent domain, under chap-
3 ter seventy-nine of the General Laws, or acquire by
4 purchase or otherwise, such public or private lands,
5 cemeteries, public parks or reservations, or parts
6 thereof or rights therein, and land or rights therein
7 under the control of the metropolitan district commis-
8 sion and/or public or private ways, as it may deem
9 necessary for carrying out the provisions of this act,
10 including such land or rights in land as may be neces-
11 sary for the construction of any necessary drainage
12 outlets, and any highway grade separation and/or
13 traffic circles, with approaches thereto, provided, that
14 no damages shall be paid for public lands or parks,
15 parkways or reservations so taken.

1 SECTION 3. The cost of laying out said proposed
2 state highway, and of land takings for the same,
3 including any damages awarded or paid on account of
4 any taking of land or property therefor, or any injury
5 to the same, and any sums paid for lands or rights
6 purchased, and all other expenses incurred in carrying
7 out the provisions of this act, shall be deemed to be
8 the cost of the work authorized by this act; provided,
9 that such cost shall not exceed, in the aggregate,
10 one million dollars.

1 SECTION 4. The cost of the work authorized by
2 this act shall be paid by the commonwealth from the
3 Highway Fund of nineteen hundred and forty-one.