

By Mr. Clemons of Wakefield, petition of M. E. S. Clemons for an extension of the time within which certain town officers may adopt orders for land takings for the laying out or relocation of town or private ways. Towns. Jan. 11.

---

---

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Seven.

---

An Act extending the Time for Adopting an Order of taking when necessary in Laying Out, Altering or Relocating a Town Way or Private Way.

*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 twenty-four of chapter eighty-two of the  
2 General Laws, is hereby amended by striking out,  
3 in the fourth line, the words "ten days after"  
4 and inserting in place thereof the words:— thirty  
5 days after the termination of the town meeting at  
6 which,— so as to read as follows:— *Section 24.*  
7 If it is necessary to acquire land for the purposes  
8 of a town way or private way which is laid out,  
9 altered or relocated by the selectmen, road com-  
10 missioners or other officers of a town under this  
11 chapter, such officers shall within thirty days after  
12 the termination of the town meeting at which the  
13 laying out, alteration or relocation of such town  
14 way or private way is accepted by the town, adopt  
15 an order for the taking of such land by eminent  
16 domain under chapter seventy-nine. Any person

17 sustaining damage in his property by the laying  
18 out, relocation, alteration or discontinuance of a  
19 town way or private way, or by specific repairs  
20 thereon, shall be entitled to recover the same under  
21 said chapter. If no entry has been made upon land  
22 taken for the purpose of a town way, or if the  
23 location has for any other cause become void, a  
24 person who has suffered loss or been put to expense  
25 by the proceedings shall be entitled to recover in-  
26 demnity therefor under said chapter. If a private  
27 way is laid out, relocated, altered or discontinued  
28 by a town, or if a town makes specific repairs  
29 thereon, or if a town way is discontinued, the per-  
30 sons upon whose application such way is laid out,  
31 relocated, altered or discontinued or upon whose  
32 application specific repairs are made thereon  
33 shall, before such way is entered upon for the pur-  
34 poses of construction, or is closed up, give such  
35 town security satisfactory to the selectmen that  
36 they will indemnify such town for all damages and  
37 charges which it is obliged to pay by reason thereof,  
38 and all such damages and charges shall be repaid  
39 to the town by the persons making such applica-  
40 tion; provided, however, that in the case of the  
41 discontinuance of a town way the selectmen may  
42 order a part of the damages to be paid by the town.  
43 The first sentence of this section shall not apply to  
44 cities.



