

# SENATE . . . . No. 539

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## The Commonwealth of Massachusetts.

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SENATE, April 27, 1917.

The joint committee on Ways and Means to which was referred the special report, under chapter 107 of the resolves of 1916, of the Pilgrim Tercentenary Commission, reports the accompanying bill (Senate, No. 539).

For the committee,

CHARLES L. GIFFORD.

Messrs. COLLINS and ATWOOD, of the House, dissent.

## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

### AN ACT

Authorizing the Pilgrims Tercentenary Commission to acquire Land and make Improvements for the Preservation of Historic Localities in the Town of Plymouth.

*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 Pilgrim Tercentenary Com-  
2 mission, appointed under the provisions of chap-  
3 ter one hundred and seven of the resolves of the  
4 year nineteen hundred and sixteen, for the pur-  
5 pose of carrying into effect the recommendation  
6 of the former commission for the permanent im-  
7 provement and preservation of the historic local-  
8 ities named in its report, is hereby authorized  
9 and directed to take in fee or otherwise, in the  
10 name and for the benefit of the commonwealth,  
11 by purchase, gift, grant, devise or eminent do-  
12 main, (a) such lands, wharves and buildings  
13 within the limits of the town of Plymouth and  
14 lying between Town brook and Brewster street  
15 in said town; (b) such lands and buildings on

16 Coles hill in said Plymouth; (c) such lands and  
17 buildings lying between School street and the  
18 Burial Hill and South Russell street and the  
19 Burial Hill in said Plymouth, as were recom-  
20 mended to be acquired for said purpose under  
21 the report of said commission, presented to the  
22 legislature at the present session, *provided* that  
23 said commission shall not take by purchase or  
24 right of eminent domain under this act any land  
25 or other property to an amount exceeding in value  
26 in the aggregate, with the land or other property  
27 previously taken by purchase or eminent domain  
28 hereunder, the total amount appropriated by the  
29 legislature or contributed by individuals or cor-  
30 porations for that purpose.

1 SECTION 2. Said Pilgrim Tercentenary Com-  
2 mission is authorized to receive such grants of  
3 land or sums of money as may be given or devised  
4 to said commission or to the commonwealth for  
5 the general purposes named in this act, or for any  
6 one or more of such purposes as the donor may  
7 designate.

1 SECTION 3. Said commission is authorized to  
2 construct such piers, retaining walls, or to remove  
3 such wharves or parts of wharves, do such filling,  
4 grading and planting in and upon the premises  
5 acquired under the provisions of this act, as may  
6 in its opinion best carry out the recommendations  
7 and plans of said commissions.

1 SECTION 4. Said commission is authorized to  
2 erect such canopy over the rock, and make such  
3 changes and improvements under and about the  
4 same as may in its opinion best mark, improve  
5 and preserve that historic locality, and to erect on  
6 Coles Hill a memorial hall, as recommended by  
7 said commissions, provided that no contract shall  
8 be entered into or expense incurred for any of the  
9 work named in this or the preceding section until  
10 an amount fully adequate for said purposes shall  
11 be available by appropriation by the legislature,  
12 or by receipt by gift, grant, or devise under the  
13 provisions of section two of this act.

1 SECTION 5. Said commission shall within sixty  
2 days after voting to take any lands, rights, or  
3 easements, as aforesaid, file and cause to be re-  
4 corded in the registry of deeds for the county of  
5 Plymouth, a description thereof sufficiently ac-  
6 curate for identification, with a statement of the  
7 purpose for which the same were taken, signed  
8 by a majority at least of the commission, the re-  
9 cording to operate as a taking of the real estate  
10 and rights and easements therein described.

1 SECTION 6. Said commission shall pay all  
2 damages to property sustained by any person,  
3 firm or corporation, by the taking of any land,  
4 buildings, rights or easements, or by any other  
5 thing done by said commission under said act.  
6 Any person, firm or corporation sustaining dam-  
7 ages as aforesaid, and failing to agree with said  
8 commission as to the amount thereof, may have

9 the same assessed and determined in the manner  
10 provided by law in the case of land taken for the  
11 laying out of highways, on application at any  
12 time within two years after the taking of such  
13 land or other property, or doing of any injury,  
14 under authority of this act, but no such applica-  
15 tion shall be made after the expiration of the  
16 said two years.

1 SECTION 7. Said commission shall make the  
2 necessary arrangements for the holding of an  
3 historic pageant at Plymouth, substantially as  
4 set forth in its report, at such time during the  
5 summer of nineteen hundred and twenty as it  
6 may determine.

1 SECTION 8. Said commission may, with the  
2 approval of the governor and council, postpone  
3 the date of holding such pageant, or make such  
4 changes in the general plans herein referred to, as  
5 in its opinion may be required to carry out the  
6 general purposes of this act, or from time to time  
7 may become in its judgment necessary or de-  
8 sirable, and to do any other acts which may  
9 appear to it necessary and expedient for the  
10 preservation and improvement of said historic  
11 localities: *provided*, that no contract shall be  
12 entered into or expense incurred for any of the  
13 work named in this or the preceding section  
14 until an amount fully adequate for said purposes  
15 shall be available by appropriation by the legis-  
16 lature, or by receipt by gift, grant or devise under  
17 the provisions of section two of this act.

1 SECTION 9. Said commission, upon the com-  
2 pletion of its work as authorized by this act, may  
3 contract with the town of Plymouth upon such  
4 terms and conditions, subject to the approval of  
5 the governor and council, as it may deem to be  
6 for the interests of the commonwealth, for the  
7 future care and maintenance of the land acquired  
8 and the structures and buildings erected under  
9 the authority of said commission. \*

1 SECTION 10. The sum of fifty thousand dol-  
2 lars may be expended by said commission, sub-  
3 ject to the approval of the governor and council,  
4 for any of the purposes named in this act. Said  
5 commission is authorized to apply the whole or  
6 any part of the unexpended balance of the sum  
7 appropriated under the provisions of chapter one  
8 hundred and seven of the acts of the year nineteen  
9 hundred and sixteen for the expenses of said com-  
10 mission in the employment of a secretary and other  
11 employees, and securing the services of experts in  
12 the preparation of such additional plans and  
13 estimates as in the opinion of the commission  
14 may be desirable to carry out the provisions of  
15 said chapter one hundred and seven of the acts  
16 of the year nineteen hundred and sixteen, or for  
17 any of the purposes named in this act, subject  
18 to the approval of the governor and council.



