

# HOUSE . . . . No. 1378

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 8, 1943.

The committee on Bills in the Third Reading, to whom was referred the Bill to establish the time within which petitions for the assessment of damages to property taken by eminent domain may be brought in certain cases (House, No. 1350), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 1378).

For the committee,

LOUIS LOBEL.

## The Commonwealth of Massachusetts

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

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AN ACT ESTABLISHING THE TIME WITHIN WHICH PETITIONS FOR THE ASSESSMENT OF DAMAGES TO PROPERTY TAKEN BY EMINENT DOMAIN MAY BE BROUGHT IN CERTAIN CASES.

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

1 Chapter seventy-nine of the General Laws is  
2 hereby amended by striking out section sixteen, as  
3 most recently amended by chapter one hundred and  
4 eighty-five of the acts of nineteen hundred and thirty-  
5 eight, and inserting in place thereof the following: —  
6 *Section 16.* A petition for the assessment of dam-  
7 ages under section fourteen may be filed within one  
8 year after the right to such damages has vested;  
9 but any person, including every mortgagee of record,  
10 whose property has been taken or injured, and who  
11 has not received notice under section eight or other-  
12 wise of the proceedings whereby he is entitled to  
13 damages at least sixty days before the expiration of  
14 such year, may file such petition within six months  
15 after the taking possession of his property or the  
16 receipt by him of actual notice of the taking, which-  
17 ever first occurs, or, if his property has not been  
18 taken, within six months after he first suffers actual  
19 injury in his property.