

HOUSE No. 2158

By Messrs. Ellis of Barnstable and Cahoon of Harwich, petition of James F. Kiernan, members of the House and others for legislation to provide for the construction of a state highway between the towns of Provincetown and Weymouth. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE CONSTRUCTION OF A STATE HIGHWAY BETWEEN THE TOWNS OF PROVINCETOWN AND WEYMOUTH.

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 and construct a
4 state highway under the provisions of chapter eighty-
5 one of the General Laws, between the towns of
6 Provincetown and Weymouth along such route as
7 may be determined by the department.

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, or parts thereof or rights therein, and/or
6 public ways, as it may deem necessary for carrying

7 out the provisions of section one, including such land
8 or rights in land as may be necessary for the con-
9 struction of any necessary drainage outlets; pro-
10 vided, that no damages shall be paid for public lands
11 so taken.

1 SECTION 3. The cost of laying out and construct-
2 ing said proposed highway or of land takings for the
3 same, including any damages awarded or paid on
4 account of any taking of land or property therefor,
5 or any injury to the same, and any sums paid for
6 lands or rights purchased, and all other expenses in-
7 curred in carrying out the provisions of section one,
8 shall be deemed to be the cost of the work therein
9 authorized. Such cost shall not exceed, in the aggre-
10 gate, dollars, and shall be paid, subject to
11 appropriation, from the Highway Fund.