

SENATE No. 591

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT,
STATE HOUSE, BOSTON, June 2, 1948.

To the Honorable Senate and House of Representatives:

Under the provisions of Chapter 639 of the Acts of 1945, the Commonwealth granted its consent to the acquisition by the United States of America for use by the War Department as a military reservation of the land situated in the Town of Framingham and officially known as the Cushing General Hospital. Section 2 of that Act provided that jurisdiction of this particular parcel of land would revert to the Commonwealth at such time as it ceased to be used as a military establishment.

On September 30, 1946, this parcel of land was transferred by the United States of America from the War Department to the Veterans Administration for use as a Veterans Administration Hospital. The United States Government is desirous of having jurisdiction over this land so long as it is used for the present purpose.

I, therefore, recommend the enactment of the enclosed draft of legislation so that joint jurisdiction provided in the 1945 Act may be continued on this property.

Respectfully yours,

ROBERT F. BRADFORD,
Governor of the Commonwealth.

The Commonwealth of Massachusetts

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

AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF AMERICA OF CERTAIN LANDS FOR USE AS A VETERANS' ADMINISTRATION HOSPITAL.

1 *Whereas*, By section one of chapter six hundred
2 and thirty-nine of the acts of nineteen hundred and
3 forty-five the consent of the commonwealth was
4 granted to the acquisition by the United States of
5 America for use by the war department as a military
6 reservation of a certain parcel of land situated in the
7 town of Framingham and officially designated Cush-
8 ing General Hospital and more particularly described
9 as subdivision one of said section; and

10 *Whereas*, On September thirtieth, nineteen hun-
11 dred and forty-six said parcel of land was trans-
12 ferred by the United States of America from the war
13 department to the veterans' administration for use
14 as a veterans' administration hospital; and

15 *Whereas*, By virtue of the provisions of section two
16 of said chapter said transfer would appear to effect a
17 reversion and revestment of jurisdiction of said
18 parcel of land in the commonwealth; and

19 *Whereas*, The use of said parcel of land by the
20 veterans' administration as a veterans' administra-
21 tion hospital is essential to the public interest and
22 welfare; and

23 *Whereas*, The provisions of this act should become
24 effective without delay, therefore it is hereby de-
25 clared to be an emergency law, necessary for the im-
26 mediate preservation of the public safety and con-
27 venience.

*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. Subject to the conditions hereinafter
2 imposed, the consent of the commonwealth is hereby
3 granted to the acquisition by the United States of
4 America of the following described parcel of land for
5 use by the veterans' administration as a veterans'
6 administration hospital.

7 1. All that certain piece or parcel of land situated
8 in the town of Framingham, officially designated
9 Cushing General Hospital, and bounded and described
10 as follows: —

11 Beginning at the southwesterly corner of the
12 premises herein described, said corner being the
13 intersection of the northerly side line of Fountain
14 street with the easterly side line of Winter street;
15 thence north $22^{\circ} 25' 00''$ west along said easterly
16 side line of Winter street 584.18 feet to a point;
17 thence north $23^{\circ} 34' 00''$ west along said side line
18 of Winter street 511.05 feet, more or less, to land of
19 Roy R. & Dorothy W. Wheatcroft; thence north
20 $68^{\circ} 51' 00''$ east along said land of Wheatcroft 209.80
21 feet to land of United States of America; thence
22 turning and running north $21^{\circ} 09'$ west for a distance
23 of 200.00 feet to a point located in the northeasterly
24 corner of land belonging to Roy R. and Dorothy W.
25 Wheatcroft; thence turning and running south
26 $68^{\circ} 51'$ west for a distance of 217.80 feet to a point

27 located on the easterly boundary line of Winter street
28 so called; thence turning and running in a north-
29 westerly direction along said easterly boundary line
30 for a distance of 1095.00 feet, more or less, to a point;
31 thence turning and running north $75^{\circ} 05' 08''$ east
32 for a distance of 140 feet, more or less, to a point;
33 thence turning and running north $14^{\circ} 54' 52''$ west
34 for a distance of 1584.68 feet to a point; thence
35 turning and running north $86^{\circ} 48' 20''$ west for a
36 distance of 589.18 feet, more or less, to a point
37 located on the easterly boundary line of Winter
38 street, so called; thence turning and running in a
39 northwesterly direction along the arc of a curve
40 having a radius of 449.30 feet and deflecting towards
41 the right for a distance of 101.06 feet, more or less,
42 to a point of curve; thence turning and running
43 south $86^{\circ} 48' 20''$ east for a distance of 937.67 feet,
44 more or less, to a point; thence turning and running
45 north $66^{\circ} 02' 27''$ east for a distance of 144.30 feet,
46 more or less, to a point located on the westerly
47 boundary line of an unnamed road; thence turning
48 and running north $63^{\circ} 54' 04''$ east for a distance of
49 50.03 feet, more or less, to a point; thence running
50 north $75^{\circ} 06' 58''$ east for a distance of 218.41 feet,
51 more or less, to a point; thence turning and running
52 north $14^{\circ} 54' 52''$ west for a distance of 10 feet, more
53 or less, to a point located on the southerly boundary
54 line of the commonwealth of Massachusetts metro-
55 politan water works right-of-way; thence turning and
56 running in a southeasterly direction along said
57 southerly boundary line and arc of a curve having
58 a radius of 1472.69 feet for a distance of 229.00 feet
59 to a point; thence continuing along said southerly
60 boundary line south $58^{\circ} 58' 15''$ east for a distance
61 of 571.00 feet to a point of curve; thence continuing

62 along said southerly boundary line in a southeasterly
63 direction partly along the arc of a curve having a
64 radius of 378.31 feet and deflecting towards the left
65 and partly along the arc of another curve having a
66 radius of 250.00 feet and deflecting towards the right
67 for a total distance of 310.00 feet to a point of another
68 curve; thence continuing along the southerly bound-
69 ary line of said metropolitan water works right-of-
70 way along the arc of a curve having a radius of
71 378.31 feet and deflecting towards the left for a dis-
72 tance of 86.21 feet, more or less, to a point on Dudley
73 road; thence running along the westerly boundary of
74 Dudley road south $10^{\circ} 28' 15''$ east for a distance of
75 540.70 feet to an angle; thence running south
76 $10^{\circ} 16' 15''$ east for a distance of 100.00 feet to a
77 point of curve; thence running in a southeasterly
78 direction along the arc of a curve having a radius of
79 575.00 feet and deflecting towards the left for a dis-
80 tance of 273.76 feet to a point; thence running south
81 $37^{\circ} 34' 35''$ east for a distance of 1328.00 feet to a
82 point; thence southeasterly by a curve deflecting to
83 the left having a radius of 473.61 feet a distance of
84 46.21 feet to a P. R. C.; thence southerly by a curve
85 deflecting to the right having a radius of 40.00 feet
86 a distance of 66.72 feet to a P. T. on the northwesterly
87 side line of Parker road; thence south $52^{\circ} 24' 05''$
88 west along said Parker road 1019.01 feet, more or less,
89 to a P. C.; thence southerly by a curve deflecting
90 to the left having a radius of 100.00 feet a distance
91 of 115.83 feet to a P. T. on the westerly side line of
92 Stedman road; thence south $13^{\circ} 54' 40''$ east along
93 said Stedman road 585.66 feet to a P. C.; thence
94 southwesterly by a curve deflecting to the right
95 having a radius of 40.00 feet a distance of 66.54 feet
96 to a P. C. C. on the northerly side line of Fountain

97 street; thence westerly by a curve deflecting to the
98 right having a radius of 1116.29 feet a distance of
99 99.04 feet to a P. T.; thence south $86^{\circ} 29' 30''$ west
100 603.81 feet to a P. C.; thence west by a curve
101 deflecting to the left having a radius of 2862.79 feet
102 a distance of 270.30 feet to the point of beginning;
103 containing 144.53 acres, more or less.

1 SECTION 2. Jurisdiction over the above described
2 land is hereby granted and ceded to the United
3 States of America, but upon the express condition
4 that the commonwealth shall retain concurrent
5 jurisdiction with the United States of America in
6 and over said lands, in so far that all civil processes
7 and such criminal processes as may issue under the
8 authority of the commonwealth against any per-
9 son or persons charged with crimes committed with-
10 out said lands and all processes for collection of taxes
11 levied under authority of the laws of the common-
12 wealth, including the service of warrants, may be
13 executed thereon in the same manner as though this
14 cession had not been granted; provided, that the
15 jurisdiction in and over said land shall revert to and
16 revert in the commonwealth whenever such areas
17 shall cease to be used for the purposes set forth in
18 section one; and provided, further, that any con-
19 sent to the acquisition of, or any jurisdiction over,
20 public rights in navigable waters is expressly ex-
21 cluded from this grant and chapter ninety-one of the
22 General Laws shall apply to any encroachment, filling
23 or structure placed in the tide waters of the com-
24 monwealth.

1 SECTION 3. This act shall take effect as of Septem-
2 ber thirtieth, nineteen hundred and forty-six.



