

# HOUSE . . . . No. 2449

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, May 5, 1949.

The committee on Public Health, to whom was referred so much of the report of the special commission (including members of the General Court) established (under Chapter 73 of the Resolves of 1947 and revived and continued under Chapter 78 of the Resolves of 1948) to study public health laws and policies of the Commonwealth (House, No. 2100) as relates to providing for the construction by the Department of Public Health in the city of Boston of a hospital for the care of persons suffering from chronic diseases and the purchase of land therefor (App. 2), report the accompanying bill (House, No. 2449).

For the committee,

ANGELO V. BERLANDI.

## The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY TO THE COMMONWEALTH, WITHOUT CONSIDERATION, CERTAIN LAND ON MORTON STREET IN THE WEST ROXBURY DISTRICT OF SAID CITY AND PROVIDING FOR THE CONSTRUCTION THEREON BY THE DEPARTMENT OF PUBLIC HEALTH OF A HOSPITAL FOR THE CARE OF PERSONS SUFFERING FROM CHRONIC DISEASES.

1    *Whereas*, The deferred operation of this act would  
2 tend to defeat its purpose, which is to provide for the  
3 immediate acquisition by the commonwealth of land  
4 for a chronic disease hospital and the construction  
5 thereon of such a hospital by the department of public  
6 health, therefore this act is hereby declared to be an  
7 emergency law, necessary for the immediate preserva-  
8 tion of the public convenience.

*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. Notwithstanding any contrary pro-  
2 vision of general or special law, the city of Boston,  
3 by its mayor, is hereby authorized and empowered to  
4 convey to the commonwealth, without consideration,  
5 not exceeding fifteen acres of the estate on the north-  
6 easterly side of Morton street in the West Roxbury  
7 district of said city owned by said city and known as

8 Franklin park; provided, that the board of park com-  
9 missioners of said city shall, by vote at a regular or  
10 special meeting of said board, assent to the convey-  
11 ance; and provided, further, that the conveyance is  
12 authorized, after two separate readings, by two sepa-  
13 rate votes of two thirds of all the members of the city  
14 council of said city, the second of said readings and  
15 votes to be had not less than fourteen days after the  
16 first.

1 SECTION 2. Any land conveyed to the common-  
2 wealth under this act shall, from and after such con-  
3 veyance, be held for the purposes of the state depart-  
4 ment of public health, which is hereby authorized and  
5 directed to construct on such land a six-hundred bed  
6 hospital for the care of persons suffering from chronic  
7 diseases, including a nurses' home, out-patient depart-  
8 ment and other necessary facilities. For the purposes  
9 of such construction, said department may expend  
10 such sums as may hereafter be appropriated therefor.

1 SECTION 3. Chapter five hundred and eleven of  
2 the acts of nineteen hundred and forty-six is hereby  
3 repealed.

1. The first part of the bill is to amend the law relating to the appointment of judges of the Supreme Court. It is proposed to amend the law so that the President shall have the power to appoint and remove judges of the Supreme Court at will, without the consent of the Senate. This is a change from the present law which requires the consent of the Senate for the appointment and removal of judges of the Supreme Court.

2. The second part of the bill is to amend the law relating to the appointment of judges of the District Courts. It is proposed to amend the law so that the President shall have the power to appoint and remove judges of the District Courts at will, without the consent of the Senate. This is a change from the present law which requires the consent of the Senate for the appointment and removal of judges of the District Courts.

3. The third part of the bill is to amend the law relating to the appointment of judges of the Circuit Courts. It is proposed to amend the law so that the President shall have the power to appoint and remove judges of the Circuit Courts at will, without the consent of the Senate. This is a change from the present law which requires the consent of the Senate for the appointment and removal of judges of the Circuit Courts.