

# SENATE . . . . . No. 719

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[Senate, No. 719. — Substituted by amendment by the Senate (McCann) for House Bill No. 3050.]

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## The Commonwealth of Massachusetts

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

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AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO A PETITION BY CHRISTINE MACNEIL, ADMINISTRATRIX OF THE ESTATE OF MICHAEL MACNEIL, JUNIOR.

*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. Christine MacNeil, administratrix of the estate  
2 of Michael MacNeil, Junior, may, within one year after the  
3 passage of this act, bring a petition against the commonwealth  
4 under the provisions of chapter two hundred and fifty-eight  
5 of the General Laws that the court find (1) whether the death  
6 of the petitioner's intestate occurred on September thirteenth,  
7 nineteen hundred and fifty-four on Dedham parkway by  
8 reason of a defect or want of repair in a public way under the  
9 control of the metropolitan district commission and (2)  
10 whether said death might have been prevented or such defect  
11 or want of repair might have been remedied by the exercise of  
12 reasonable care and diligence on the part of said commission  
13 and, if the court finds for the petitioner under clauses (1) and  
14 (2), that the court assess damages therefor in an amount not  
15 exceeding four thousand dollars, said damages to be assessed  
16 with reference to the degree of culpability of said commission,  
17 its agents or servants.

Printed by authority of the Senate, 1884

The Community of Massachusetts

Be it enacted by the Senate and House of Representatives in

the first session of the second year of the Commonwealth, that

Section 1. The Senate and House of Representatives in

1. Section 1. Certain lands, tenements and other estates  
2. of the Commonwealth, which were at the time of the  
3. passage of this act, being a public use, the same shall  
4. remain the property of the Commonwealth and the rights  
5. of the Commonwealth therein shall not be affected by  
6. the provisions of the act in relation to the same.  
7. Section 2. The lands and tenements mentioned in the  
8. first section shall be held and managed for the use of  
9. the Commonwealth and the same shall be subject to  
10. the same laws and regulations as other lands and  
11. tenements of the Commonwealth.  
12. Section 3. The lands and tenements mentioned in the  
13. first section shall be held and managed for the use of  
14. the Commonwealth and the same shall be subject to  
15. the same laws and regulations as other lands and  
16. tenements of the Commonwealth.  
17. Section 4. The lands and tenements mentioned in the  
18. first section shall be held and managed for the use of  
19. the Commonwealth and the same shall be subject to  
20. the same laws and regulations as other lands and  
21. tenements of the Commonwealth.