

# HOUSE . . . . No. 498

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Bill accompanying the petition of Frederick W. Schlapp for the construction of a county or state highway in the city of Lawrence and town of Methuen. Roads and Bridges. January 11.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Sixteen.

### AN ACT

To provide for the Construction of a Highway in the City of Lawrence and Town of Methuen.

*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 county commissioners of the county  
2 of Essex are hereby authorized and directed to lay out  
3 and construct a highway in the city of Lawrence and  
4 town of Methuen, beginning at Marston street in the  
5 said city where it is intersected by Prospect street and  
6 running thence along Marston street to the Methuen  
7 line and thence on Merrimac street in Methuen to Cook's  
8 corner. The said highway shall be completed within  
months after the passage of this act.

1 SECTION 2. For the purpose aforesaid, the said com-  
2 missioners are hereby authorized to relocate, alter, widen,

3 and discontinue existing highways, or other ways or parts  
4 thereof, and to order and make specific repairs thereon,  
5 and to take or purchase any lands, rights or easements  
6 which may be required to carry out the purpose of this  
7 act. Upon the completion of the said highway, the said  
8 commissioners are hereby authorized to sell any land or  
9 property taken or purchased by them under authority  
10 hereof, and not needed for the purpose aforesaid. In  
11 order to take any land or rights in land the commissioners  
12 shall cause to be recorded in the registry of deeds for the  
13 northern district of the county of Essex a description of  
14 the lands or rights taken, with a statement, signed by  
15 them, of the purpose for which they were taken, and with  
16 a plan of any lands so taken. They shall estimate the  
17 damages to property, if any, sustained by any person by  
18 such taking of lands, rights or easements, or by the lay-  
19 ing out of the highway as aforesaid or by the relocation,  
20 alteration, widening or discontinuance of existing high-  
21 ways or other ways, or by specific repairs ordered to be  
22 made thereon; and any person aggrieved thereby may  
23 proceed, within one year after the filing of the said state-  
24 ment, to have his damages determined in the same  
25 manner, as in the case of land taken for highways, but in  
26 no event shall interest be recovered against the county  
27 for more than four per cent per annum.

1 SECTION 3. Upon the completion of the said way, the  
2 county commissioners of the county shall file in the office  
3 of the clerk of courts for the county a detailed statement  
4 certified under their hands, of the actual cost of the said  
5 way and of any land damages resulting therefrom, in-  
6 cluding an estimate of any damages not yet determined,  
7 and deducting therefrom the amounts, if any, received  
8 from the sale of any land or property acquired under the

9 provisions of this act, and the clerk shall forthwith trans-  
10 mit attested copies thereof to the mayor of the city of  
11 Lawrence and the selectmen of the town of Methuen, and  
12 within thirty days after the filing of the said statement,  
13 the city of Lawrence shall pay into the treasury of the  
14 county of Essex forty-five per cent and the town of  
15 Methuen shall pay into the treasury of the said county  
16 fifteen per cent of the cost of constructing the said way  
17 and of the land damages resulting therefrom.

1 SECTION 4. For the purposes of this act the county  
2 commissioners of the county of Essex are hereby author-  
3 ized to borrow, from time to time, on the credit of the  
4 county, sums not exceeding fifty thousand dollars in the  
5 aggregate, for periods not exceeding three years.

1 SECTION 5. Upon the completion of the laying out and  
2 constructing of said way, the Massachusetts highway  
3 commission is hereby directed to accept and lay out as a  
4 state highway the way so constructed.

1 SECTION 6. Nothing in this act shall be construed as  
2 restricting the powers now conferred on the said com-  
3 missioners by law.

1 SECTION 7. This act shall take effect upon its passage.

