

House Bill No. 60 (changed by the committees on Conservation and Bills in the Third Reading, and amended on recommendation of the committee on Ways and Means) as passed by the House to be engrossed on March 19.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Four.

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An Act authorizing the Commissioner of Conservation to construct and maintain State Trails or Paths.

*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. Chapter one hundred and thirty-two of  
2 the General Laws is hereby amended by striking out  
3 section two and inserting in place thereof the following:—

4 *Section 2.* The commissioner of conservation, in this  
5 chapter called the commissioner, with the approval of  
6 the governor and council, may accept on behalf of the  
7 commonwealth bequests or gifts to be used for the pur-  
8 pose of advancing the forestry interests of the common-  
9 wealth, under the direction of the governor and council,  
10 or for the laying out, construction or maintenance of  
11 state trails or paths, in such manner as to carry out the  
12 terms of the bequests or gifts. The commissioner shall  
13 forthwith transfer any such bequest or gifts of money or  
14 securities to the state treasurer, who shall invest, reinvest  
15 and administer it in the manner provided by section six-  
16 teen of chapter ten and shall be liable on his bond for  
17 the faithful management thereof. The commissioner may,  
18 subject to the approval of the deed and title by the at-

19 torney general as provided in section ten, except on be-  
20 half of the commonwealth gifts of land to be held and  
21 managed for the purpose provided in said section. A  
22 donor of such land may reserve the right to buy back  
23 the land in accordance with said section; but in the  
24 absence of a provision to that effect in his deed of gift  
25 he shall not have such right.

1 SECTION 2. Said chapter one hundred and thirty-two  
2 is hereby further amended by adding at the end thereof,  
3 under the heading STATE TRAILS OR PATHS, the two fol-  
4 lowing new sections:—

5 STATE TRAILS OR PATHS.

6 *Section 38.* The commissioner may lay out, construct  
7 and maintain trails or paths through or over lands in  
8 state forests and in public reservations and trails or  
9 paths leading to important mountains and other objects  
10 and places of special interest and beauty and he may  
11 connect such trails or paths in order to make them con-  
12 tinuous so far as practicable. The commissioner on  
13 behalf of the commonwealth may purchase such lands  
14 or easements therein as may be necessary for the afore-  
15 said purposes. He may post such trails or paths, erect  
16 signs thereon and construct suitable rest camps or shel-  
17 ters at appropriate places. He may by special permit  
18 in writing allow portions of such trails or paths to be  
19 enclosed and used by the owner of adjoining land, for  
20 any use not interfering with public passage on foot, dur-  
21 ing the whole or any part of the year upon such condi-  
22 tions as the commissioner may prescribe and such per-  
23 mits may be revoked at his pleasure. The commonwealth  
24 shall not be liable for injury or damage sustained on such  
25 trails or paths.

26 *Section 39.* The mayor, selectmen or road commis-  
27 sioners, or the board or officer having charge of the main-  
28 tenance and care of highways, if so authorized by the  
29 city council or by the town, may agree in writing, on  
30 behalf of such city or town, to contribute money, labor  
31 or materials toward the laying out or construction of any  
32 state trail or path which the commissioner may lay out  
33 and construct within such city or town.

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HOUSE OF REPRESENTATIVES, March 19, 1924.

Passed to be engrossed.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

