

To accompany the petition of Henry L. Kincaide that betterment assessments in connection with the laying out and construction of the southern artery, so called, be abolished. Metropolitan Affairs.

The Commonwealth of Massachusetts

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

An Act dispensing with Betterment Assessments in Connection with the Laying Out and Construction of the Southern Artery, so called.

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 three hundred and thirty
2 of the acts of nineteen hundred and twenty-five,
3 as amended in section two by section two of chap-
4 ter three hundred and sixty-nine of the acts of
5 nineteen hundred and twenty-six, is hereby fur-
6 ther amended by striking out said section two and
7 inserting in place thereof the following:—

8 *Section 2.* The department of public works
9 may, on behalf of the commonwealth, take under
10 and in accordance with chapter seventy-nine of
11 the General Laws, except as hereinafter provided,
12 or acquire by purchase or otherwise, such lands
13 or rights therein as it may deem necessary for
14 carrying out the provisions of this act, including
15 such land as may be necessary for the construc-

16 tion of any necessary drainage outlets, but no
17 awards or payments shall be made because of any
18 taking of cemetery land or of any other land
19 devoted to a public use except as required by the
20 constitution. The provisions of section five of
21 said chapter seventy-nine shall not apply to any
22 taking under this act. No betterments shall
23 be assessed under this act.

1 SECTION 2. All betterment assessments al-
2 ready paid under this act shall forthwith be repaid
3 with interest at six per cent.

