

By Mr. Mahan of Leominster, petition of Edward H. Nutting and Arthur U. Mahan that the Department of Public Works be authorized to construct a state highway in the city of Leominster and the towns of Acton, Bolton, Boxborough, Concord, Harvard and Lancaster. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE CONSTRUCTION OF A STATE HIGHWAY IN THE CITY OF LEOMINSTER AND IN THE TOWNS OF ACTON, BOLTON, BOXBOROUGH, CONCORD, HARVARD AND LANCASTER.

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 department of public works, here-
2 inafter called the department, is hereby directed to
3 lay out and construct a state highway under the
4 provisions of chapter eighty-one of the General
5 Laws, commencing at the Concord Reformatory on
6 the existing route number two in Concord; thence
7 following the existing state highway through Acton,
8 by-passing the village of West Acton, by swinging
9 southerly thereof to a point at which an overhead
10 bridge would cross the main line of the Fitchburg
11 Division of the Boston and Maine Railroad; thence
12 swinging back to the existing highway at a point

13 near the Acton-Boxborough town line; thence fol-
 14 lowing the highway to a point about one and one
 15 quarter miles east of the Harvard-Boxborough town
 16 line; thence swinging southwesterly over new loca-
 17 tion through portions of Harvard and Bolton, and
 18 crossing through Lancaster to a point near North
 19 Leominster; thence following more or less existing
 20 roads and some new location in Leominster; to a
 21 point in Leominster at or near North Main street.

1 SECTION 2. The department may, on behalf of
 2 the commonwealth, take by eminent domain under
 3 chapter seventy-nine of the General Laws, or acquire
 4 by purchase or otherwise, such public or private
 5 lands, cemeteries, or parts thereof or rights therein,
 6 and/or public ways, as it may deem necessary for
 7 carrying out the provisions of section one, including
 8 such land or rights in land as may be necessary for
 9 the construction of any necessary drainage outlets;
 10 provided, that no damages shall be paid for public
 11 lands so taken.

1 SECTION 3. The cost of laying out and construct-
 2 ing said proposed highway or of land takings for
 3 the same, including any damages awarded or paid
 4 on account of any taking of land or property there-
 5 for, or any injury to the same, and any sums paid
 6 for lands or rights purchased, and all other expenses
 7 incurred in carrying out the provisions of section
 8 one, shall be deemed to be the cost of the work
 9 therein authorized. Such cost shall not exceed, in
 10 the aggregate, dollars, and shall be paid,
 11 subject to appropriation, from the Highway Fund.