

HOUSE No. 1269.

[PROPOSED AMENDMENTS TO HOUSE, NO. 1225.]

Commonwealth of Massachusetts

Mr. UTLEY of Brookline gives notice that he will move to amend in section 3, line 12, by striking out the word "Brookline."

Mr. BANCROFT of Clinton gives notice that he will move to amend as follows:—

Insert in section 5, after word "domain" in line 2, the words "or to enter upon and use the lands of others."

In section 9, line 30, strike out the words "they deem."

Amend section 12 by adding at the end the following:—

"The word 'damages' in this section and in the thirteenth, fourteenth and fifteenth sections shall include damages resulting to any established business on land taken from loss of its good-will or of custom."

Add at the end of section 13 the words "Any person whose land is entered upon or used as provided in section nine shall have the right, within two years from such entry or user, to surrender the land or other property so entered upon or used to the Commonwealth; and upon such surrender, which shall be by written notice served upon the board, shall have the same right to bring a petition and recover damages as if the property had been taken by eminent domain."

Insert a new section, to be numbered section 16, as follows:—

1 “SECT. 16. In case any person or corporation owning
2 an established business situated in the town of West
3 Boylston, and not on land purchased or taken for the
4 purposes of said reservoir, shall deem that such business
5 is injured by any of the doings under this act, whether
6 by loss of custom or otherwise, and such person or
7 corporation is unable to agree with said board as to such
8 injury or as to the amount of the damages therefor, such
9 damages shall be determined in the manner provided in
10 section fourteen.”

In section 16 of the bill as printed, line 11, strike out the words “to the town of West Boylston.”

In line 12 of said section strike out the word “respective” and insert in place thereof the word “said.”

In line 13 of said section strike out the word “towns” and insert in place thereof the word “town.”

In the 14th line, after the word “year,” add the words “and shall pay to the treasurer of the town of West Boylston the sum of three hundred thousand dollars, to be securely invested and the income used perpetually for the municipal expenditures of said town.”

In lines 16 and 17 of said section strike out the words “and West Boylston.”

Insert at the end of said section the following: “And said treasurer shall, from the sale of bonds or otherwise, pay to the treasurer of the town of West Boylston so long as it shall remain a municipal corporation the sum of twelve thousand dollars annually, the first of said payments to be made on or before the first day of October next succeeding the diversion of the waters of the Nashua River.”

Amend section 19 by striking out of the 10th line the words “West Boylston.”

Add at the end of section 30 the following: “provided that nothing contained in this section shall be deemed to authorize the collection by the town of West Boylston of any tax or assessment upon lands within the limits of said town which may be taken under this act.”

