

SENATE No. 124.

Commonwealth of Massachusetts.

SENATE, March 10, 1896.

The committee on Metropolitan Affairs, to whom was referred the petition of the Metropolitan Park Commission for such legislation as will better define the authority of the Metropolitan Park Commission (accompanied by House Bill No. 523), report the accompanying Bill.

For the committee,

JOHN QUINN, JR.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-six.

AN ACT

To better define the Authority of the Metropolitan
Park Commission.

*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. Whenever by reason of a taking
2 by the Commonwealth through its metropolitan
3 park commission, duly concurred in according to
4 law, an existing public street is so affected that
5 the public rights therein might otherwise be
6 abridged, either by being wholly or in part in-
7 cluded within the taking, any and all exceptions
8 and reservations made in said taking in favor of
9 any municipality within which said street or any
10 part thereof may lie, and of the public, and of
11 any corporations and individuals (said taking being
12 accompanied by a plan showing the land included
13 therein and the street so affected), shall be valid,
14 effectual and binding; and in order to insure to
15 the parties from time to time concerned the full

16 and perfect enjoyment of the uses thereby re-
17 served, said board is hereby authorized and em-
18 powered from time to time to make grants or
19 conveyances of easements, to enter into agree-
20 ments, to issue licenses and generally to conclude
21 arrangements to that end, all in its discretion; but
22 no such grant, agreement, license or arrangement
23 shall be taken or held to abrogate or abridge the
24 control of said board over said land included in
25 said taking except as in said exceptions and reser-
26 vations provided, or the right of said board from
27 time to time in its discretion to make rules and
28 regulations for the government and use of any
29 roadway, boulevard or cross-way which may at
30 any time hereafter be laid out and maintained over
31 said land or any portion thereof not inconsistent
32 with such exceptions and reservations.

1 SECT. 2. Said commission is hereby authorized
2 and empowered to transfer for care and control,
3 including police protection, any lands or rights or
4 easements or interest in land, although the same
5 be a roadway or boulevard owned or controlled
6 by it, to any city or town or county or local board
7 of a city or town within the metropolitan parks
8 district with the consent of such city, town or
9 county or board and upon such terms and for
10 such period as may be mutually agreed upon, and
11 to enter into agreement with any such city, town
12 or county or board for the joint care and control
13 or police protection of said land or boulevard and
14 also for laying out, constructing and maintaining

15 streets or ways into or across any such land or
16 boulevard; and any city or town or county or any
17 local board within the metropolitan parks district
18 is hereby authorized and empowered to transfer
19 for care and control, including police protection,
20 any land or rights or easements or interest in
21 land in its control, although the same be already
22 a part of a public street owned or controlled by
23 it, to the metropolitan park commission for such
24 period and upon such terms as may be mutually
25 agreed upon, and to enter into an agreement with
26 said commission for the joint care and control,
27 including police protection, of said land or street.

1 SECT 3. Said commission is hereby authorized
2 to join with any city, town or county in the laying
3 out, improvement, relocation, widening, repairing,
4 maintaining and caring for any public street, way
5 or bridge or stream which lies along or connects
6 any lands or roadways or boulevards owned or
7 controlled by it, and in the expense of such work,
8 and for such purposes or any of them to make con-
9 tribution to such city, town or county by a grant
10 of land or rights in land although the same be
11 already a roadway or boulevard, or by payment
12 of money for its portion of such expense.

1 SECT. 4. This act shall take effect upon its
2 passage.