

SENATE No. 238.

Commonwealth of Massachusetts.

SENATE, April 11, 1898.

The committee on Metropolitan Affairs, to whom was recommitted so much of the Thirteenth Annual Report of the Board of Police for the city of Boston (Pub. Doc. No. 49) as relates to a new building for police headquarters, report the accompanying bill.

For the Committee,

FRED'K W. DALLINGER.

Commonwealth of Massachusetts.

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

AN ACT

To provide Headquarters and a Station House for the Board of Police for the City of Boston.

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 board of police for the city of
2 Boston shall have full power and control of and
3 over the design, construction, erection and fur-
4 nishing of a building to be used as the head-
5 quarters for the Boston police, and as a station
6 house for police division No. 2, and for other
7 suitable purposes connected with the administra-
8 tion of the police force of said city. Said board
9 of police is hereby authorized to make in the name
10 and on behalf of said city any and all contracts
11 for work, labor and materials to be used in and
12 upon the construction and furnishing of said
13 building. Said board shall, unless the mayor of
14 the city shall give written authority to do other-
15 wise, invite proposals for all such contracts, in

16 which the amount involved exceeds two thousand
17 dollars, by advertisements in not more than four
18 daily newspapers published in said city, which
19 advertisements shall state the time and place for
20 opening the proposals in answer to said adver-
21 tisements, and reserving in such invitations the
22 right to the said board to reject any or all pro-
23 posals. Every proposal for doing such work or
24 furnishing such labor or materials shall be ac-
25 companied by a suitable bond or deposit of money
26 for the faithful performance of such proposal, and
27 all such proposals shall be kept by the said board
28 and shall be open to public inspection after the
29 same have been accepted or rejected; but, upon
30 the rejection of any proposal, the bond or deposit
31 accompanying said proposal shall be returned.
32 All such contracts in which the amount involved
33 exceeds two thousand dollars shall be in writing,
34 and no such contract shall be deemed to have
35 been made until the approval of the mayor in
36 writing is affixed thereto, and every such con-
37 tract shall be accompanied by a suitable bond or
38 deposit of money for the faithful performance of
39 the contract. Such bond or money shall be de-
40 posited with the city auditor of said city until the
41 contract has been carried out in all respects. No
42 such contract shall be altered except by a written
43 agreement of the contractor, the sureties on his
44 or their bond, and the said board of police, with
45 the approval of the mayor affixed thereto. Said
46 board is hereby authorized to select and employ
47 an architect or architects to design said building

48 and to supervise the construction thereof and the
49 foregoing provisions relative to contracts shall
50 not apply to any contract for the services of such
51 architect or architects, but said architect or archi-
52 tects shall be paid by said city as provided in
53 section six. The entire cost of said building and
54 furniture, together with the lands hereinafter pro-
55 vided to be purchased or taken shall not exceed
56 four hundred thousand dollars.

1 SECTION 2. The board of street commissioners
2 of said city, at the request of the said board of
3 police, shall take by purchase or otherwise such
4 lands for the purposes set forth in the preceding
5 section as said board of police, with the approval
6 of the mayor, shall designate. Said board of
7 street commissioners may take any lands for said
8 purposes under the right of eminent domain, and
9 in such case shall sign and cause to be recorded
10 in the registry of deeds for the county of Suffolk
11 a statement containing a description thereof suf-
12 ficiently accurate for identification, and stating
13 that the same are taken for police purposes, and
14 upon the recording of any such statement the
15 lands described therein shall be taken in fee for
16 said city.

1 SECTION 3. Said city shall pay all damages
2 sustained by any person in his property by any
3 taking as aforesaid, the same to be determined by
4 agreement between said board of street commis-
5 sioners, with the approval of the mayor, and such

6 person; and, if they cannot agree, said board of
7 street commissioners or person may, within one
8 year after the date of the taking, file in the office
9 of the clerk of the superior court for the county
10 of Suffolk a petition for a jury to determine such
11 damages, and thereupon, after such notice as said
12 court shall order, the damages so sustained shall
13 be determined by a jury in said court, in the
14 same manner as damages for lands taken for
15 highways in said city are determined, and costs
16 shall be taxed and execution be issued in favor
17 of the prevailing party as in civil cases.

1 SECTION 4. The city treasurer of said city, to
2 pay the expenses incurred for the lands pur-
3 chased or taken for and the building and furnish-
4 ing of said building, shall from time to time on
5 the request of said board of police, issue and sell
6 negotiable bonds of said city to an amount re-
7 quired to pay the damages sustained by the
8 taking of such lands or the purchase price
9 thereof and a further sum not exceeding one hun-
10 dred and fifty thousand dollars in the current
11 year and the residue in the year eighteen hundred
12 and ninety-nine which shall all be within the debt
13 limit.

1 SECTION 5. Said bonds shall bear interest pay-
2 able semi-annually on the first days of January
3 and July of each year; shall be registered or with
4 interest coupons attached, and shall be sold and
5 disposed of in such manner, at such times and

6 prices, in such amounts, and at such rates of
7 interest, not exceeding four per centum per an-
8 num, and for such terms not less than thirty nor
9 more than forty years, as the treasurer, with the
10 approval of the mayor, shall from time to time
11 determine.

1 SECTION 6. Said treasurer shall hold the pro-
2 ceeds of said bonds in the treasury of said city
3 and pay therefrom on bills approved by said
4 board of police the expenses for said lands and
5 building and for the furnishing of said building:
6 *provided, however,* that he shall pay over to the
7 board of commissioners of sinking funds of said
8 city any premiums received by him in the sale of
9 said bonds, and said commissioners shall place
10 all amounts so paid by said treasurer in a sink-
11 ing fund for the payment of the bonds hereby
12 authorized.

1 SECTION 7. This act shall take effect upon its
2 passage.

