

HOUSE No. 1343.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 9, 1900.

The committee on the Judiciary, to whom was referred the petition (with accompanying bill, House, No. 273) of Moorefield Storey and others for legislation relative to the expenses incurred in proceedings for the recovery of damages for land taken by the right of eminent domain, report the accompanying bill.

For the Committee,

JOHN M. MINTON.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred.

AN ACT

To provide for the Allowance of Costs to Parties recovering Damages in Proceedings arising from the Taking of Land by the Right of Eminent Domain.

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. In all proceedings for the recovery
2 of damages sustained in the taking of land or
3 injury thereto by the right of eminent domain,
4 and in the changing of grades of streets and
5 highways, and in the abolition of grade crossings,
6 and the separating of the grades of highways and
7 railroads, parties recovering damages shall also
8 recover costs as in other civil cases, and the court
9 before which the trial is had may, as a part of
10 such costs, in its discretion, make allowances for
11 reasonable expenses incurred for surveys and
12 plans and expert witnesses: *provided, however,*
13 that the sum allowed for plans and surveys shall

14 not exceed one hundred dollars, and that the sum
15 allowed for each expert witness shall not exceed
16 one hundred dollars.

1 SECTION 2. Chapter two hundred of the acts
2 of the year eighteen hundred and ninety-eight is
3 hereby repealed.

1 SECTION 3. This act shall apply to proceed-
2 ings pending at the time of its passage.

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

