

HOUSE No. 756.

HOUSE OF REPRESENTATIVES, Feb. 4, 1901.

[Introduced on leave by Mr. Russell of Boston. State House.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and One.

AN ACT

Relative to the Improvement of the State House
Grounds.

*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. Section two of chapter three
2 hundred and eighty-two of the acts of the year
3 nineteen hundred is hereby amended to read as
4 follows:—

5 *Section 2.* The governor and council may lay
6 out said land for use as a park, with driveways,
7 walks, grass plots, curbing and railing; may close
8 Mount Vernon street from Beacon street to the
9 state house arch; may construct a new approach
10 to the state house from Bowdoin street and from

11 Beacon street; may build retaining walls and
12 fences; may change the grade of Mount Vernon
13 street from Joy street to the state house as they
14 shall deem to be most advantageous for an ap-
15 proach to the state house; may change the grade
16 of Bowdoin street from Beacon street to Ashbur-
17 ton place so that the street will be substantially
18 level between said two streets, and may widen
19 said Bowdoin street to a width not exceeding fifty
20 feet; may grade and construct said streets and
21 relay the sewers, pipes, tubes, conduits, and wires
22 therein wherever necessary. Any person dam-
23 aged in his property abutting upon either of said
24 streets more than he is benefited by the laying out
25 and grading of said streets and removing the
26 buildings between Hancock street and Bowdoin
27 street, reconstructing and extending the state
28 house and constructing the park between Bow-
29 doin street and the state house, shall be paid by
30 the Commonwealth the amount by which said
31 damages exceed said benefits, the same to be
32 determined by agreement between such person
33 and the attorney-general with the approval of the
34 governor and council, or, if they cannot agree to
35 be determined on petition of the attorney-general
36 or such person filed in the clerk's office of the
37 superior court for the county of Suffolk within
38 one year from the passage of this act, by a jury of
39 said court, under the same rules of law so far as
40 applicable as damages by the laying out of high-
41 ways in the city of Boston under the Public
42 Statutes were determined; said city of Boston

43 shall repay to the Commonwealth all damages
44 which the state shall be required to pay for the
45 change of grade of Bowdoin street as hereinbe-
46 fore provided, and shall pay the amount expended
47 by the Commonwealth for all the work done on
48 said Bowdoin street as aforesaid, or may, at the
49 request of the governor and council, do said work.

1 SECTION 2. The title to said act is hereby
2 amended to read as follows: An act to provide for
3 the improvement of the state house grounds and
4 approaches thereto.

1 SECTION 3. This act shall take effect upon its
2 passage.

