

HOUSE No. 567.

[Bill accompanying the petition of Andrew Leinhardt and others for legislation relative to the payment to certain persons in the towns of Clinton and Berlin of damages sustained by the construction of the metropolitan water system. Metropolitan Affairs and Water Supply, sitting jointly. Jan. 30.]

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Three.

AN ACT

Relative to the Payment to Certain Persons in the Towns of Clinton and Berlin of Damages sustained by the Construction of the Metropolitan Water System.

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 fourteen of chapter four
2 hundred and eighty-eight of the acts of the year
3 eighteen hundred and ninety-five as amended by
4 chapter five hundred and fifty-one of the acts of
5 the year eighteen hundred and ninety-eight, and

6 by chapter five hundred and five of the acts of the
7 year nineteen hundred and one, is hereby further
8 amended by inserting after the words "hereinbe-
9 fore provided," in the sixty-second and sixty-third
10 lines, the following words: — And in case any in-
11 dividual or firm owning on the twenty-eighth day
12 of April in the year nineteen hundred and two, an
13 established business on land in the town of Clin-
14 ton, or on land in the town of Berlin, that is taken
15 for the purpose of constructing and maintaining
16 parts of a railroad in place of those parts of the
17 Central Massachusetts branch of the southern
18 division of the Boston and Maine railroad, which
19 are to be discontinued by said board, or the heirs
20 or personal representatives of such individual or
21 firm, shall deem that such business is decreased
22 in value by the carrying out of this act, whether
23 by loss of custom or otherwise, and unable to
24 agree with said board as to the amount of such
25 damages to be paid for such injury, such damages
26 shall be determined and paid in the manner here-
27 inbefore provided, — so that said section fourteen
28 of chapter four hundred and eighty-eight, after
29 the word "court," in the fiftieth line, shall read as
30 follows: —

31 In case any individual or firm owning on the
32 first day of April in the year eighteen hundred
33 and ninety-five, an established business on land
34 in the town of West Boylston, or on land in the
35 town of Boylston, or in that part of the town of
36 Clinton within the limits of the Wachusett reser-
37 voir, whether the same shall be taken or not under

38 this act, or the heirs or personal representatives
39 of such individual or firm, shall deem that such
40 business is decreased in value by the carrying out
41 of this act, whether by loss of custom or other-
42 wise, and unable to agree with said board as to
43 the amount of damages to be paid for such injury,
44 such damages shall be determined and paid in the
45 manner hereinbefore provided. And in case any
46 individual or firm owning on the twenty-eighth
47 day of April in the year nineteen hundred and
48 two, an established business on land in the town
49 of Clinton, or on land in the town of Berlin, that
50 is taken for the purpose of constructing and main-
51 taining parts of a railroad in place of those parts
52 of the Central Massachusetts branch of the
53 southern division of the Boston and Maine rail-
54 road, which are to be discontinued by said board,
55 or the heirs or personal representatives of such
56 individual or firm, shall deem that such business
57 is decreased in value by the carrying out of this
58 act, whether by loss of custom or otherwise, and
59 unable to agree with said board as to the amount
60 of such damages to be paid for such injury, such
61 damages shall be determined and paid in the
62 manner hereinbefore provided. The words "real
63 estate," as used in this section, shall include water
64 rights, and in the case of mills all machinery
65 thereon.

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

