

By Mr. Bulger, a petition (accompanied by bill, Senate, No. 2522) of William M. Bulger for legislation to provide for the acquisition of land for the construction of the Suffolk County Jail. Ways and Means (Senate).

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-five.

**AN ACT PROVIDING FOR THE ACQUISITION OF LAND FOR THE CONSTRUCTION OF THE SUFFOLK COUNTY JAIL.**

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to immediately facilitate the construction of a jail in the county of Suffolk, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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. Whereas, there exists a great public need for a jail  
2 in Suffolk County which is safe, secure and a reasonable  
3 distance from the superior court for Suffolk County, the ap-  
4 pellate courts of the commonwealth and the federal courts;  
5 and

6 Whereas, the location and financing of such a jail has been  
7 the subject of public debate and controversy for several years;  
8 and

9 Whereas, there exists a court order resolving the controver-  
10 sy to the degree possible within certain consent agreements;  
11 and

12 Whereas, there exists another location in the city of Boston  
13 not owned by public authority but which would provide the  
14 most satisfactory location in terms of access to the above-  
15 mentioned courts and in terms of the less expensive construc-  
16 tion and design; and

17 Whereas, the legislature is contemplating, and has provid-

18 ed funding for, the financing of county jails by the com-  
19 monwealth; therefore.

20 It is hereby found and declared that the provisions of this  
21 act provide the most cost efficient method to provide for a Suf-  
22 folk jail meeting all constitutional rights of inmates.

1 SECTION 2. The city of Boston is hereby authorized and  
2 directed to convey to the General Hospital Corporation, a  
3 Massachusetts corporation, the land, and buildings thereon  
4 now owned by said city and occupied by the Charles Street Jail,  
5 so-called, including the building known as the master's house;  
6 provided however that said conveyance shall be dependent  
7 upon the concurrent conveyance by the trustees of the General  
8 Hospital Corporation to the city of Boston of land now owned  
9 by said Hospital in the city of Boston of not less than eighty-  
10 six thousand three hundred and fifty square feet said land be-  
11 ing a portion of the land owned by said corporation and bound-  
12 ed by land owned by the Boston Redevelopment Authority,  
13 Nashua Street, a railroad right-of-way and the commonwealth.  
14 Said conveyances shall occur no later than January 31, 1986  
15 and shall not be subject to any of the provisions of chapter  
16 seven of the general laws. Any review of the consideration for  
17 the land now owned by the city of Boston shall include the cost  
18 of demolition of the Charles Street Jail, so-called.

1 SECTION 3. Notwithstanding the provisions of section 2 of this  
2 act, the use, control and possession of the land and buildings  
3 conveyed by the city of Boston, pursuant to said section 2, shall  
4 be the same as before the effective date of this act and shall  
5 remain so until such time as a new jail is constructed and oc-  
6 cupied; provided that all liability with respect to said land and  
7 buildings including that for acts which occur after the effec-  
8 tive date of this act shall also continue to rest upon the same  
9 parties as it did prior to the effective date of this act and shall  
10 shift only upon the transfer of control and possession as herein  
11 provided.

1 SECTION 4. Notwithstanding the provisions of section 2 of this  
2 act, the trustees of the General Hospital Corporation shall re-  
3 main in possession and control of the land conveyed by them

4 pursuant to said section 2, until such time as construction is  
5 ready to begin and shall remain liable for acts occurring on  
6 said land until possession is transferred.

1 SECTION 5. The land conveyed to the city of Boston pursuant  
2 to section 2 of this act shall be used by said city only for the  
3 construction of a replacement of the Charles Street Jail, so-  
4 called, in accordance with requirements stated by the supreme  
5 judicial court in the case of *Attorney General v. Sheriff of Suffolk*  
6 *County*; provided however, because the change of location  
7 makes possible the construction of a modern, efficient, clean,  
8 safe jail, meeting all constitutional requirements regarding  
9 the rights of inmates, said city may vary from the re-  
10 quirements of said case with leave of court based on the chang-  
11 ed circumstances created by this act.

1 SECTION 6. Notwithstanding any general or other special law  
2 to the contrary, once the construction of a new jail is authoriz-  
3 ed by the Mayor and City Council of the city of Boston the con-  
4 struction phase shall be a state project under the provision of  
5 section 40A of chapter 7 of the general laws; provided,  
6 however, that the city shall remain the owner of the property.  
7 All funds provided by the city of Boston shall be deposited in-  
8 to the treasury of the commonwealth and shall be ad-  
9 ministered in the manner described in section 4D of chapter  
10 40 of the general laws.

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

the first of these is the fact that the population of the country was increasing rapidly, and that the demand for land was becoming more and more urgent. The second is the fact that the government was unable to meet the demand for land, and that the people were forced to buy land from the landlords at a high price.

The third is the fact that the landlords were unwilling to sell their land at a low price, and that the people were forced to buy land from the landlords at a high price. The fourth is the fact that the government was unable to meet the demand for land, and that the people were forced to buy land from the landlords at a high price. The fifth is the fact that the landlords were unwilling to sell their land at a low price, and that the people were forced to buy land from the landlords at a high price.

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