

after the word "school", the first time it appears in line 9, the words: — , of the Myles Standish state school, — so as to read as follows: — *Section 91.* Any person may make written application to a justice of the supreme judicial court at any time and in any county, stating that he believes or has reason to believe that a person named in such application is confined as an insane person in an institution or other place, public or private, and ought not longer to be so confined, giving the names of all persons supposed to be interested in keeping him in confinement, and requesting his discharge. Such an application may likewise be made by any inmate of the Walter E. Fernald state school, of the Belchertown state school, of the Myles Standish state school or of the Wrentham state school, or by any person in his behalf.

Discharge,
application
for.

SECTION 10. Section 93 of said chapter 123, as so appearing, is hereby amended by inserting after the word "school", the second time it appears in line 5, the words: — , of the Myles Standish state school, — so as to read as follows: — *Section 93.* If it appears upon the verdict of the jury, or in the opinion of the justice if the case is not submitted to a jury, that the person so confined is not insane, or that he is not dangerous to himself or others and ought not longer to be so confined, or in case of an inmate of the Walter E. Fernald state school, of the Belchertown state school, of the Myles Standish state school or of the Wrentham state school, either that such inmate is not feeble minded, or that continued custody of his person is unnecessary and unreasonable, or that he can be discharged with safety to himself and the public, and will be cared for properly elsewhere, he shall be discharged from confinement.

G. L. (Ter.
Ed.), 123,
§ 93, amended.

Discharge if
not insane or
dangerous.

SECTION 11. The provisions of law relative to the commitment and admission of feeble minded persons to, the reception, custody, care, treatment and support of such persons at, and the discharge of such persons from, the Myles Standish state school, shall not take effect until such school is ready for the reception of the feeble minded; and such time shall be fixed by proclamation of the governor in accordance with a notification from the department of mental health.

Not to take
effect until
school is
ready.

SECTION 12. The initial appointments of members of the board of trustees of the Myles Standish state school shall be so made by the governor, with the advice and consent of the council, that the term of one such member shall expire on the first Wednesday of February in the years nineteen hundred and fifty-one to nineteen hundred and fifty-seven, inclusive, subject, however, to the provisions of section six of chapter nineteen of the General Laws.

Members,
appointment,
term, etc.

Approved July 31, 1950.

AN ACT PROVIDING FOR AN ACCELERATED HIGHWAY PROGRAM. *Chap. 685*

Whereas, The deferred operation of this act would unnecessarily delay putting into effect the accelerated highway

Emergency
preamble.

program provided for therein, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The state department of public works, hereinafter called the department, and the metropolitan district commission, hereinafter called the commission, are hereby authorized and directed to expend a sum not to exceed one hundred million dollars, in addition to any other appropriations for like purposes as may have heretofore or may hereafter be made, for projects for the laying out, construction, reconstruction and relocation of highways, parkways, bridges, grade crossing eliminations and alterations of crossing at other than grade, for traffic safety devices in accordance with section six, for the alteration, construction and reconstruction of state-owned bridges in accordance with chapter six hundred and ninety of the acts of nineteen hundred and forty-five, as amended and supplemented, and for traffic studies in urban areas.

The department and the commission shall accept any federal funds available for such projects, and such federal funds when received shall be credited to the Highway Fund.

SECTION 2. Except in the case of parkway projects under the jurisdiction of the commission, the department shall have full authority to select the projects to be undertaken under the authority of this act.

SECTION 3. Pursuant to the provisions of section one, the commission is hereby authorized and directed to expend a sum, not to exceed eight million dollars, for projects of the commission in the area set forth in the "Master Highway Plan for the Boston Metropolitan Area", as established and defined in Exhibit B of House Document No. 1767 of the year nineteen hundred and forty-eight; provided, that notwithstanding the provisions of said House Document No. 1767 the metropolitan district commission may expend from said sum an amount not to exceed five hundred thousand dollars for resurfacing of existing highways with not less than two inches of bituminous-bound aggregate, using present traveled ways as a base.

SECTION 4. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not to exceed thirty-seven million dollars, for projects in the area set forth in the "Master Highway Plan for the Boston Metropolitan Area", as established and defined in said Exhibit B of House Document No. 1767 of the year nineteen hundred and forty-eight.

SECTION 5. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not to exceed fifty-four million dollars, for projects in the area set forth in "The Report on Massachusetts State Highway Needs, exclusive of Metropolitan Boston", as established and defined in Exhibit A of said House Document No.

1767, of the year nineteen hundred and forty-eight and for traffic studies in urban areas; and not less than eight million dollars of said sum shall be expended in each of the following four areas of the commonwealth:— in the area west of the Connecticut river, including therein any bridges across said river with their approaches and connections; in the area lying between the Connecticut river and the easterly boundary line of Worcester county, excluding any bridges across said river with their approaches and connections; in Essex, Middlesex and Norfolk counties, including Route 128 therein; and in Bristol, Plymouth, Barnstable, Dukes and Nantucket counties; provided, that notwithstanding the provisions of said House Document No. 1767 the department may expend from said sum an amount not to exceed one million dollars in the areas outside of metropolitan Boston for resurfacing of existing highways with not less than two inches of bituminous-bound aggregate, using present traveled ways as a base.

SECTION 6. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum, not to exceed one million dollars, for traffic safety devices on state highways and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws.

SECTION 7. The department and the commission may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such public or private lands, cemeteries, public parks or reservations, or parts thereof or rights therein, and public ways as it may deem necessary for carrying out the provisions of this act, including such land or rights in land as may be necessary for the construction of any necessary drainage outlets; provided, that no damages shall be paid for public lands or parks, parkways or reservations so taken.

SECTION 8. When the work on any project authorized by section one shall have been completed, the title to or control of such highways, lands and rights therein taken or acquired therefor as in the opinion of the department are no longer needed for state highway purposes, or in the opinion of the commission are no longer needed for parkway purposes, may be transferred by the department or the commission, as the case may be, to the city or town in which the land or the highway lies. Such sections of highway shall become city or town ways and shall be kept in good condition and repair by the city or town in which the land lies and the provisions of section twenty-five of chapter eighty-one of the General Laws shall apply thereto.

SECTION 9. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may

deem best, to an amount to be specified by the governor and council from time to time, but not exceeding in the aggregate the sum of one hundred million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on the face: Highway Improvement Loan, Act of 1950, and shall be on the serial payment plan for such maximum term of years not exceeding fifteen years from the date of issue as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the commonwealth, the maturities thereof to be so arranged that the combined amounts payable in the several years of the period of amortization other than the final year of the bonds issued under authority of this chapter and of the bonds issued under authority of chapter three hundred and six of the acts of nineteen hundred and forty-nine shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer with the approval of the governor shall fix. Such bonds shall be payable not earlier than July first, nineteen hundred and fifty-two, nor later than June thirtieth, nineteen hundred and sixty-nine.

All interest payments and payments on account of principal on such obligations shall be paid from the Highway Fund; provided, that, notwithstanding the foregoing, such obligations shall be general obligations of the commonwealth.

SECTION 10. The cost of the work authorized in section one shall include all project payments, property damages, expenses for consultants and engineering services, and for all legal and other technical and expert services, and incidental expenses in connection with the projects herein authorized. The department and the commission, severally, may engage such additional engineering and other personnel subject to the provisions of chapters thirty and thirty-one of the General Laws as may be necessary to carry out the terms of this act, and may also engage the services of such consulting engineers as it may deem necessary, but no increase in the number of permanent positions in the engineering force of the department or of the commission shall be allowed on account of this act.

SECTION 11. The department and the commission, respectively, shall file detailed progress reports with the governor and with the clerk of the house of representatives on December thirty-first, nineteen hundred and fifty, June thirtieth, nineteen hundred and fifty-one, and December thirty-first, nineteen hundred and fifty-one, and shall render a final report on or before July thirty-first, nineteen hundred and fifty-two relative to all projects undertaken under the provisions of this act.

SECTION 12. All contracts for the projects authorized by this act shall be entered into by the department and the commission, respectively, not later than June thirtieth, nineteen hundred and fifty-two.

SECTION 13. The special commission established by chapter eighty-six of the resolves of nineteen hundred and forty-eight shall include in its investigation and study methods of financing bonds issued under authority of this act, and bonds issued under authority of chapter three hundred and six of the acts of nineteen hundred and forty-nine, as well as other highway fund activities, including construction and maintenance of state highways and traffic control thereon. Said special commission shall include in its study estimates of departmental revenue received for highway activities as well as reimbursements received from the federal government for federal aid programs. Said special commission shall make a special report to the general court on the subject matter of this section not later than January first, nineteen hundred and fifty-one, which shall be considered forthwith.

Approved July 31, 1950.

AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL AND CONVEY TO THOMAS C. TEMPESTA A CERTAIN PARCEL OF LAND ON UNION STREET IN SAID CITY.

Chap. 686

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to sell and convey to Thomas C. Tempesta a certain parcel of land on the southerly side of Union street in the Brighton district of said city, being the northeast corner of land now held by said city for playground purposes, and containing ten thousand square feet, more or less.

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

Approved July 31, 1950.

AN ACT AUTHORIZING THE CITY OF REVERE TO USE CERTAIN FUNDS WHICH WERE BORROWED FOR VETERANS HOUSING PURPOSES FOR THE PURPOSE OF PAYING INTO THE STATE TREASURY A SUM OF MONEY REPRESENTING THE CITY'S SHARE FOR THE IMPROVEMENT OF THE COUNTY DITCH.

Chap. 687

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the city of Revere may, by a vote of the city council during the current year, appropriate a sum, not exceeding, in the aggregate, one hundred and fifty thousand dollars from the proceeds of a loan issued May first, nineteen hundred and forty-eight, under authority of chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six, which proceeds are no longer necessary for the construction of veterans housing, for the purpose of paying into the state treasury the sum of money representing the said city's share of the total amount to be spent under the provisions of chapter seven hundred and four of the acts of nineteen hundred and forty-nine.