

# SENATE . . . . . No. 134.

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To accompany the petition of Nathaniel N. Jones and others that better accommodation may be provided at Salem for the courts and registries of deeds and probate for the county of Essex. Counties.

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## Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Four.

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### AN ACT

To provide at Salem Suitable Buildings for the Courts and Registries of Deeds and Probate in and for the County of Essex.

*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. The county commissioners of the  
2 county of Essex are hereby authorized to forth-  
3 with provide suitable accommodations for the  
4 courts and registries of deeds and probate for said  
5 county, and for this purpose may remodel, tear  
6 down, add to the present buildings, acquire more  
7 land and build new buildings. The expense in-  
8 curred hereunder shall not exceed five hundred  
9 thousand dollars.

1 SECTION 2. The county commissioners shall  
2 first under this act advertise, as below provided,  
3 for architects to present in open competition plans  
4 for the utilization of the present buildings and for  
5 such changes and additions or new buildings as  
6 may be necessary to furnish said accommodations.  
7 And said plans shall be submitted to a board con-  
8 sisting of the clerk of courts, the president of the  
9 Essex bar association, the sheriff of said county,  
10 the register of probate and register of deeds for  
11 the county of Essex, which board, with the advice  
12 of a consulting architect whom they may employ  
13 at the expense of said county, shall determine the  
14 order of merit of the plans so presented. And,  
15 except as below provided, the architect presenting  
16 the best plans as determined by said board shall  
17 be employed to draft the final plans for said  
18 accommodation. And to the architects furnish-  
19 ing the second and third best plans as determined  
20 by said board shall be paid therefor the sum of  
21 three hundred dollars and two hundred dollars  
22 respectively. Said board is, however, authorized  
23 to reject all said plans so presented if none are  
24 satisfactory, and in this event the architect pre-  
25 senting the plans first in order of merit shall be  
26 paid the sum of five hundred dollars. All plans  
27 submitted in said competition shall be the prop-  
28 erty of the county of Essex. And, in the event  
29 of the adoption of none of said plans, said com-  
30 missioners are authorized to advertise anew for  
31 the presentation of other plans as herein provided,  
32 and under the same conditions.

1 SECTION 3. No contracts shall be made for  
2 any construction hereunder until plans of the  
3 same have been submitted to said board and have  
4 been approved by said board in writing.

1 SECTION 4. After the plans have been so  
2 approved the county commissioners shall adver-  
3 tise for proposals for doing the work and fur-  
4 nishing the materials required by the plans.  
5 Such advertisements shall be published in at least  
6 two daily newspapers of general circulation, one  
7 in the city of Boston and one in the city of Salem;  
8 and the proposals shall not specify any particular  
9 person or persons of whom the contractor shall  
10 be required to purchase his materials. The con-  
11 tract shall be awarded to the person, firm or cor-  
12 poration making the lowest bid within the limits  
13 prescribed by this act: *provided*, that such bidder  
14 is, in the opinion of the county commissioners,  
15 responsible.

1 SECTION 5. The county commissioners shall  
2 have authority to reject any and all bids, and in  
3 the event of their rejecting all bids they may,  
4 without again advertising, award the contract to  
5 such person or persons, and for such a contract  
6 price, within the sum of five hundred thousand  
7 dollars, as they shall deem most appropriate for  
8 the interests of the county; but such contract  
9 shall not be so awarded until it has been approved  
10 by the board provided for in section two of this  
11 act.

1 SECTION 6. Every contract awarded under the  
2 provisions of this act shall be deemed to have  
3 been made subject to the following condition:  
4 that the contractor shall not be entitled to receive  
5 any sum in addition to the sum named in the con-  
6 tract for any additional work done or material  
7 furnished, or for any other matter or claim what-  
8 soever, unless before the additional work or mate-  
9 rial shall be done or furnished, or matter or claim  
10 allowed, the county commissioners shall approve  
11 the same and the additional sum or sums to be  
12 paid therefor.

1 SECTION 7. In order to meet the expense in-  
2 curred under this act the county commissioners  
3 may borrow from time to time on the credit of  
4 the county a sum not exceeding five hundred  
5 thousand dollars.

1 SECTION 8. This act shall take effect upon its  
2 passage.