

# HOUSE . . . . No. 928.

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HOUSE OF REPRESENTATIVES, April 21, 1893.

[House, No. 855, as engrossed by the House.]

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## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Ninety-three.

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### AN ACT

To provide for the Construction of Boylston Street in the City of Boston between the Back Bay Fens and Brookline Avenue.

*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 board of street commission-  
2 ers of the city of Boston may lay out and con-  
3 struct, under the provisions of chapter three  
4 hundred and twenty-three of the acts of the year  
5 eighteen hundred and ninety-one, as amended by  
6 chapter four hundred and eighteen of the acts of  
7 the year eighteen hundred and ninety-two, Boyl-  
8 ston street in said city, between the Back Bay

9 fens and Brookline avenue, substantially as shown  
10 on a plan of the board of survey, filed in the office  
11 of the city surveyor of said city, but may lay out  
12 and construct said street, and the connections or  
13 intersections of other streets with the same, in  
14 accordance with the widths and lines shown on  
15 said plan, or in accordance with any other widths  
16 and lines which they may deem proper: *provided*,  
17 that Boylston street shall not be laid out with a  
18 greater width than eighty feet.

1 . SECT. 2. Said board shall, after said street  
2 shall have been laid out and constructed, deter-  
3 mine the cost incurred in carrying out the order  
4 of said board, including the expenses as certified  
5 to them by the auditor of said city of taking  
6 land and of all other doings in the laying out  
7 and construction of said street, together with the  
8 expenses of the sewers and the laying thereof,  
9 and of all other work and materials furnished by,  
10 or for, the city in carrying out the order of said  
11 board, except the expenses for gas pipes, water  
12 pipes, their connections and the laying thereof,  
13 and shall assess a proportional share of said cost  
14 upon the real estate, whether a part thereof is  
15 taken for said highway, or whether situated on  
16 said street, or otherwise, which said board shall  
17 adjudge receives any benefit and advantage from  
18 such laying out, construction and laying of  
19 sewers and pipes as aforesaid, beyond the general  
20 advantages to all real estate in such city, to the  
21 extent of the total amount of such adjudged

22 benefit and advantage, and the portion of said  
23 cost not so paid shall be borne by the city of  
24 Boston.

1 SECT. 3. Except as otherwise specified herein,  
2 sections one to thirteen, inclusive, of chapter three  
3 hundred and twenty-three of the acts of the  
4 year eighteen hundred and ninety-one, and of acts  
5 in amendment or addition thereto, shall apply to  
6 all proceedings and work done under this act, and  
7 except as otherwise specified in sections two,  
8 three, five, six, seven and eight of chapter fifty-  
9 one of the Public Statutes, shall apply to assess-  
10 ments under this act, and notice shall be given  
11 of assessments under this act as provided in  
12 chapter two hundred and ninety-nine of the acts  
13 of the year eighteen hundred and eighty-five.

1 SECT. 4. This act shall take effect upon its  
2 passage.

