

HOUSE No. 404.

[Bill accompanying the petition of the Secretary of the Metropolitan
Park Commission.]

Commonwealth of Massachusetts.

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

AN ACT

To define the Rights and Duties of the Metropolitan Park Commission from and after the First Day of January in the Year Nineteen Hundred; and of the Treasurer of the Commonwealth under said Act.

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 provisions of chapter five hundred
2 and fifty of the acts of the year eighteen hundred and
3 ninety-six shall be repealed and become null and void on
4 and after the first day of January in the year nineteen
5 hundred.

1 SECTION 2. In the year nineteen hundred and in
2 every fifth year thereafter the supreme judicial court in
3 equity, on application of the metropolitan park commis-

4 sion or of the the attorney-general or of any city or
5 town of the metropolitan parks district by its attorney
6 and after notice to each city and town of that district,
7 shall appoint three commissioners neither of whom is a
8 resident of any city or town in said district, who shall,
9 after such notice and hearing as they deem sufficient and
10 in such manner as they deem just and equitable, deter-
11 mine and make award of the proportions in which each
12 of said cities and towns of said district shall pay money
13 into the treasury of the Commonwealth each year begin-
14 ning with the first day of January of the year in which
15 such commissioners are required to be appointed and
16 until the first day of January of the year in which a
17 new award is made hereunder to provide the amount for
18 that year as estimated by the treasurer to meet the in-
19 terest and sinking fund requirements of the appropria-
20 tions and loans authorized under chapter four hundred
21 and seven of the acts of the year eighteen hundred and
22 ninety-three, and chapter two hundred and eighty-eight
23 of the acts of the year eighteen hundred and ninety-four,
24 and chapter three hundred and five of the acts of the
25 year eighteen hundred and ninety-five and all other acts
26 in addition to and amendment thereof, and the amount
27 required to meet the expenses for that year of said board
28 of metropolitan park commissioners and of the care,
29 maintenance and operation for that year of the parks,
30 reservations, boulevards and other works acquired, cared
31 for or controlled by said board under said acts as esti-
32 mated by said board, and the deficiency, if any, in the
33 estimates and payments for the preceding year as found
34 by said treasurer, and shall return their award thus deter-
35 mined into said court; *provided, however*, that the com-
36 missioners shall fix and return the proportion to be paid
37 by the city of Boston for each year of the first of said
38 terms at fifty per cent. Every such award when ac-

39 cepted by said court shall be a final and conclusive
40 adjudication for the term for which it is made of all
41 matters referred to the commissioners and shall be bind-
42 ing upon all parties.

1 SECTION 3. The treasurer shall in the year nineteen
2 hundred and in each year thereafter fix the several
3 amounts required for that year from each city and town
4 of said district in accordance with said award to provide
5 the entire amount required to meet the interest and
6 sinking fund requirements of the appropriations author-
7 ized under said chapter four hundred and seven of the
8 acts of the year eighteen hundred and ninety-three and
9 acts in addition to and amendment thereof and of the
10 loans therefor and to meet the expenses for that year of
11 said metropolitan park commission under said acts and
12 of the care, maintenance and operation of the parks,
13 reservations and works acquired, cared for and con-
14 trolled by said board thereunder and the deficiency in
15 the estimates and payments for these purposes for the
16 previous year and to provide one-half of the entire
17 amount required to meet the interest and sinking fund
18 requirements of the appropriations under said chapter
19 two hundred and eighty-eight of the acts of the year
20 eighteen hundred and ninety-four and acts in addition to
21 and amendment thereof and of the loans therefor and
22 one-half of the expenses for that year of said metropol-
23 itan park commission under said acts and of the care,
24 maintenance and operation of the roads, boulevards and
25 other works acquired, cared for and controlled by said
26 board thereunder, and one-half of the deficiency in the
27 estimates and payments under said act for these purposes
28 for the preceding year, and shall include the several
29 amounts thus found to be required of each city and town
30 of said district in the sum to be paid by each as its state

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31 tax for that year and shall charge the remaining one-half
32 of the entire amount required for that year for interest,
33 sinking fund requirements and for expenses and defi-
34 ciency, as aforesaid, under said chapter two hundred and
35 eighty-eight of the acts of the year eighteen hundred
36 and ninety-four to the Commonwealth and include the
37 same in the annual state tax for that year; and the
38 amounts thus required in each year of the several cities
39 and towns of said district and of the Commonwealth
40 shall be paid by each into the treasury of the Common-
41 wealth at the time required for the payment and as a part
42 of the state tax of each for that year.