

HOUSE No. 412.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 23, 1870.

The Committee on the Judiciary, to whom was referred the Bill giving the consent of the Commonwealth to the United States, for the purchase of additional land, in the city of Boston, for the Sub-Treasury and Post-Office site, respectfully report, that for the purpose of carrying out the plans of the Federal government for the erection of the building required for the purposes of a Sub-Treasury and Post-Office in the city of Boston, additional land becomes an absolute necessity, and the government has thus far been unable to obtain it by negotiation and purchase in the ordinary way.

Under the Act of Congress making the appropriation for the building aforesaid, it is provided that no part of the appropriation, beyond the sum of two hundred thousand dollars shall be expended, until contracts for the completion of the entire building have been made, in conformity with plans, to be approved by the Secretary of the Treasury, and Postmaster-General.

These cannot be made until the land is obtained, and this can only be done by an Act of the legislature. As the object is of the greatest importance to the Commonwealth, as well as the general government, your Committee have drafted a bill, which it is believed is acceptable to all the parties in interest, under which the land may be obtained by the United States. An extract from the Appropriation Bill above referred to, and

a communication from the Secretary of the Treasury, to your Committee, are herewith submitted.

The Committee therefore report that the Bill ought to pass in a new draft.

Per order,

CHAS. R. TRAIN, *Chairman.*

POST-OFFICE AND SUB-TREASURY IN BOSTON.

For continuing the work on the building for Post-Office and Sub-Treasury in Boston, Massachusetts, five hundred thousand dollars: *provided*, that no part of this sum beyond the sum of two hundred thousand dollars, or any other sum appropriated for this purpose shall be expended until a contract or contracts for the completion of the entire building in conformity with plans to be approved by the Secretary of the Treasury and Postmaster-General, and at all times under their direction, shall be entered into with the lowest responsible bidder or bidders, and for a sum not exceeding one million five hundred thousand dollars, including all sums already expended for that purpose, except that for the site; and the expenditure of any sum of money in violation of this proviso shall be deemed unlawful.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY, May 11, 1870. }

SIR:—I take the liberty of calling your attention to the importance of securing for the site of the Post-Office and Sub-Treasury building in Boston, additional land, which it is found we are unable to obtain by negotiation and purchase in the ordinary way.

The supervising architect states that it is necessary to obtain about twenty (20) feet additional front on Milk Street, of the estate of Thomas Goddard, in order to secure an entrance to that portion of the building which will be used for the Treasury; and also the interest of the Merchants' Insurance Company in a strip of land about eleven (11) feet in width on Water Street, and extending to the land now owned by the United States.

It is important that the government should obtain possession of the portions described of these two estates with the least

possible delay, in order that the plan of the building may be completed, and the work prosecuted during the present season. The subject is already, as I understand, before your committee, and the favorable disposition of it will promote the interests of the government and the convenience of the business people of Boston.

I am, very respectfully, &c.,

GEO. S. BOUTWELL, *Secretary.*

Hon. CHAS. R. TRAIN, *Boston, Mass.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy.

AN ACT

Giving the Consent of the Commonwealth to the United States for the purchase of additional land in the City of Boston for the Sub-Treasury and Post-Office Site.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. The consent of this Commonwealth is
2 hereby granted to the United States to purchase addi-
3 tional land for the site of the new post-office and sub-
4 treasury building in the city of Boston, the said addi-
5 tional land lying adjoining the tract already purchased
6 by the United States in the block bounded by Devon-
7 shire, Water, Congress and Milk Streets.

8 The said tracts of additional land are, first, an
9 estate owned by Thomas Goddard, trustee, fronting
10 on Milk Street, bounded and described as follows;
11 beginning at the most south-westerly corner of the
12 said land at a point in the northerly line of Milk
13 Street, said point being in the division line of prop-

14 erty between land of the United States and land here-
15 in described; thence running eastwardly on Milk
16 Street, there measuring twenty feet and five inches;
17 thence northwardly by other land of the said Goddard,
18 trustee, sixty-two feet and seven inches to land of
19 Edward Wigglesworth; thence westwardly by land
20 of said Wigglesworth about one foot and two inches;
21 thence northwardly by the same, five feet; thence
22 westwardly by land of the United States, twenty-one
23 feet; thence southwardly by the same, seven feet and
24 seven inches; and thence southwardly again by the
25 same, fifty-eight feet and seven inches, to the point of
26 beginning, containing fourteen hundred and fifty-four
27 square feet, more or less.

28 Second, another tract, being an estate owned by
29 the Merchants' Insurance Company, fronting on
30 Water Street, bounded and described as follows: be-
31 ginning at the most north-westerly corner of said
32 estate, at a point in the southerly line of Water
33 Street, said point being in the division line of prop-
34 erty between land of the United States and land here-
35 in described, and also being the westerly corner of
36 Water Street and a common passage-way eleven feet
37 wide; thence running eastwardly by Water Street,
38 there measuring eleven feet and one-third of an inch;
39 thence southerly by other land of said Merchants'
40 Insurance Company, seventy-three feet and three
41 inches; thence westwardly by land of the United
42 States, eleven feet; thence northwardly by the same,
43 seventy-two feet and eight and one-half inches to the
44 point of beginning, containing eight hundred and
45 twelve square feet, more or less, being a strip of land
46 eleven feet wide, used as a common passage-way by

47 the United States and the said Merchants' Insurance
48 Company, or any part or portion thereof; and juris-
49 diction is hereby ceded to the United States over the
50 said tracts, respectively, or any part or portion there-
51 of, when the United States shall become the owner
52 thereof: *provided, always*, that this Commonwealth
53 shall retain and does retain concurrent jurisdiction
54 with the United States in and over all the lands afore-
55 said so far that civil processes and criminal processes,
56 issuing under the authority of this Commonwealth, may
57 be executed on said land and in any buildings thereon
58 erected or to be erected thereon, in the same way and
59 manner as if jurisdiction had not been granted as
60 aforesaid; and *provided*, that the exclusive jurisdic-
61 tion shall revert to and revest in the Commonwealth
62 of Massachusetts whenever said lands shall cease to
63 be used by the United States for public purposes.

1 SECT. 2. If the agent or agents employed by the
2 United States, and the person or persons owning or
3 interested in either of said estates cannot agree upon
4 the price to be paid for their interest therein, the
5 agent or agents of the United States may apply by
6 petition to the superior court for the county of Suf-
7 folk, such petition to be made separately as to each
8 of said estates, describing the estate and praying to
9 have the valuation thereof made by a jury; and the
10 court, after due notice to the owner or owners of the
11 estate described in such petition and to all parties
12 interested therein, to be given in such manner as the
13 court may order, is hereby empowered and required
14 to hear the parties and finally determine the value of
15 their said estate, (taking into consideration the injury

16 or benefit, if any, which said owners or persons inter-
17 ested, may sustain in any adjoining estate,) by a jury,
18 who shall be sworn to faithfully and impartially make
19 such appraisement and valuation. And if any person
20 or persons, other than the owner or owners of said
21 estate, shall appear and claim any interest in said
22 estate, the value to the owner of the fee and to all
23 persons interested in said estate, shall be ascertained
24 and apportioned in the same manner as is provided
25 for the assessment of damages in section fifty-five of
26 chapter forty-three of the General Statutes; and the
27 clerk of the superior court, for civil business, for the
28 county of Suffolk, shall, during the present term of
29 the superior court, if practicable, and if not, at the
30 following July term thereof, issue writs of *venire*
31 *facias*, for jurors to make the appraisements and val-
32 uations aforesaid, and shall therein require the attend-
33 ance of said jurors on such day as the court shall
34 order, and said writs shall be severally issued, deliv-
35 ered, transmitted, served and returned in the same
36 manner as now provided as to other juries by chapter
37 one hundred and thirty-two of the General Statutes:
38 and the value aforesaid having been ascertained, by
39 the verdict of said jury, and said verdict accepted and
40 recorded by said court, and the amount thereof paid,
41 or tendered, within one month after final judgment,
42 to the said owner or owners, or persons interested, or
43 their agent or attorney, together with their reasonable
44 costs and expenses, to be taxed by said court, or in
45 case of their neglect or refusal to receive the same,
46 the amount of said verdict, costs and expenses having
47 been paid into the treasury of this Commonwealth,
48 for their use, and subject to their order, the fee of

49 said estate shall be forever vested in the United States :
50 *provided, however*, that neither the United States nor
51 their agent or agents shall enter into or take posses-
52 sion of said estates, respectively, or exercise any act
53 of ownership thereon until the amount of said verdict,
54 costs and expenses aforesaid shall have been actually
55 paid as aforesaid; and *provided, also*, that all the
56 charges of said application and appraisement shall be
57 paid by the United States.

58 The applications aforesaid may, by agreement of
59 parties, be heard and determined together, but a sep-
60 arate valuation shall be made and a separate verdict
61 rendered in each case.

1 SECT. 3. This act shall be void unless a suitable
2 plan of the additional land obtained or purchased by
3 the United States under this act, shall be filed in the
4 office of the secretary of the Commonwealth within
5 one year after the title shall be acquired.

1 SECT. 4. This act shall take effect upon its pas-
2 sage.

