

HOUSE No. 1436.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, June 1, 1904.

The committee on Bills in the Third Reading, to whom was referred the bill relative to compensation for damages in the town of Boylston occasioned by the construction of the metropolitan water system (House, No. 1432), reports recommending the substitution of the following bill.

For the committee,

HENRY S. AMES.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Four.

AN ACT

Relative to Compensation for Damages occasioned
in the Town of Boylston by the Construction of
the Metropolitan Water System.

*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 owner of any real estate situ-
2 ated in that part of the town of Boylston on the
3 southerly and south-easterly side of the metro-
4 politan water basin known as the Wachusett reser-
5 voir, and within the limits of the Nashua river
6 water-shed, not taken but directly or indirectly
7 decreased in value by reason of chapter four hun-
8 dred and eighty-eight of the acts of the year
9 eighteen hundred and ninety-five and amend-
10 ments thereof, entitled "An act to provide for a
11 metropolitan water supply," or by the doings of
12 the metropolitan water board or of the metropoli-
13 tan water and sewerage board thereunder, shall

14 have the same right to damages for such decrease
15 in value, to be determined and recovered in the
16 same way as is provided for owners of certain
17 real estate in the town of West Boylston by sec-
18 tion fourteen of said chapter: *provided*, that the
19 petition required by said section is filed within
20 two years after the passage of this act; but no
21 owner shall have the right to surrender his real
22 estate to the Commonwealth in the manner pro-
23 vided in said chapter.

1 SECTION 2. The rules and regulations of the
2 state board of health or of the metropolitan water
3 and sewerage board now or hereafter in force for
4 the sanitary protection of water or sources of
5 water supply shall not constitute an element of
6 damage within the meaning of this act.

1 SECTION 3. This act shall take effect upon its
2 passage.

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Passed to be engrossed.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk*.

