

By Mr. Thompson of Ludlow, petition of John F. Thompson for establishment of a right of way for public access to Norwich Lake in the town of Huntington. Harbors and Public Lands.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Fifty-Five.

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AN ACT PROVIDING FOR THE ESTABLISHMENT OF A RIGHT OF WAY FOR PUBLIC ACCESS TO NORWICH LAKE IN THE TOWN OF HUNTINGTON.

*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 Hampshire  
2 county are hereby authorized and directed to lay out a  
3 right of way for public access to Norwich lake in the  
4 town of Huntington, in accordance with plans to be ap-  
5 proved by the department of public works and showing  
6 the location and dimensions of such right of way. If it  
7 is necessary to acquire land for the purpose of laying out  
8 such right of way, said county commissioners shall, at  
9 the time such right of way is laid out, take such land by  
10 eminent domain under chapter seventy-nine of the Gen-  
11 eral Laws. Any person sustaining damages in his prop-  
12 erty by the laying out of such right of way, or by specific  
13 repairs or improvements thereon, shall be entitled to re-  
14 cover the same under said chapter seventy-nine; pro-  
15 vided, that the right to recover damages, if any, by  
16 reason of the laying out of such right of way shall vest  
17 upon the recording of the order of taking by said county  
18 commissioners, and that no entry or possession for the  
19 purpose of constructing a public way on land so taken  
20 shall be required for the purpose of validating such taking  
21 or for the payment of damages by reason thereof.

1 SECTION 2. The town of Huntington from time to  
2 time may make specific repairs on or improve such  
3 right of way to such extent as it may deem necessary,  
4 but neither the county of Hampshire nor any city or  
5 town therein shall be required to keep such right of way  
6 in repair, nor shall it be liable for injury sustained by  
7 persons traveling thereon; provided, that sufficient notice  
8 to warn the public is posted where such way enters upon  
9 or unites with an existing public way.

1 SECTION 3. All expenses incurred by said county com-  
2 missioners in connection with such right of way shall be  
3 borne by the county of Hampshire, or by such cities and  
4 towns therein and in such proportions as said county  
5 commissioners may determine.

1 SECTION 4. Said right of way shall not be discon-  
2 tinued or abandoned without authority therefor from  
3 the general court.

1 SECTION 5. Nothing in this act shall be construed to  
2 limit the powers of the department of public health, or  
3 any local board of health, under any general or special  
4 law.