

# HOUSE . . . . No. 2795

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, April 2, 1956.

The committee on Harbors and Public Lands, to whom was referred the petition (accompanied by bill, House, No. 1936) of Anthony M. Colonna and William I. Randall for an appropriation from the General Fund for the cost of flood prevention in the Sudbury, Assabet and Concord Rivers watershed, report the accompanying bill (House, No. 2795).

For the committee,

JOHN J. MOAKLEY.

## The Commonwealth of Massachusetts

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

### AN ACT RELATIVE TO FLOOD CONTROL OF THE ASSABET, CONCORD AND SUDBURY RIVERS.

*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 department of public works, acting  
2 through the division of waterways, is hereby authorized  
3 and directed to dredge and otherwise improve the  
4 Assabet, Concord and Sudbury rivers, and to construct  
5 such dams and gates on said rivers as may be required  
6 for flood control purposes, to take such land treatment  
7 measures as may be necessary for conservation purposes,  
8 and to provide for the conservation, utilization and  
9 disposal of water. The department may make applica-  
10 tion for federal assistance in the construction of any  
11 project authorized by this act, and any federal funds  
12 so received shall be applied toward such project.

1 SECTION 2. The department of public works, for the  
2 purposes of this act, may, on behalf of the common-  
3 wealth, take by eminent domain, under chapter seventy-  
4 nine of the General Laws, or acquire by purchase or  
5 otherwise, any lands, waters, water rights, watercourses,  
6 rights of way, easements, or other property or interest  
7 in property, and shall have all the rights, powers and  
8 duties and be subject to the limitations of section  
9 thirty-two of chapter ninety-two of the General Laws;  
10 provided, however, that cities and towns in the area or  
11 areas within which construction may occur shall grant  
12 to the department the right to enter upon any public  
13 land and to construct such facilities as may be necessary

14 without recourse to damages therefor. The department,  
15 however, shall, as provided in said section thirty-two,  
16 heed all reasonable requests of officials of said cities and  
17 towns to restore such public property to its present  
18 condition in so far as is practicable.

1 SECTION 3. For the purposes of this act, the depart-  
2 ment of public works may expend, in addition to funds  
3 received from the federal government, such sums as may  
4 be appropriated therefor.

1 SECTION 4. This act shall take effect upon its passage.

