

HOUSE No. 1423

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 18, 1931.

The committee on Agriculture, to whom was referred the special report of the State Reclamation Board of the work and continued financing of the Cape Cod Mosquito Control Project (comprising the area included in the towns in the county of Barnstable) and similar projects (Senate, No. 4), report (in part) the accompanying bill (House, No. 1423).

For the committee,

CHARLES H. SHAYLOR.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-One.

An Act providing for the Abatement of Certain Mosquito Nuisances.

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

1 Chapter two hundred and fifty-two of the General
2 Laws is hereby amended by inserting after section
3 five A, inserted by section three of chapter two hun-
4 dred and eighty-eight of the acts of nineteen hundred
5 and twenty-nine, the following new section:—

6 *Section 5B.* The board of health of a city or town,
7 not then included in an area designated by an iden-
8 tifying name for the purposes of section five A, or the
9 commissioners appointed to make improvements on
10 behalf of a mosquito control project under such a
11 name as provided in said section, may determine any
12 mosquito breeding area within the limits of such city
13 or town or of such a project, to be a public nuisance,
14 and the board of health or the commissioners, as the
15 case may be, may abate such nuisance, in such man-
16 ner as may be approved by the board, and may main-
17 tain such works as may be necessary to prevent its
18 recurrence. Before proceeding with such abatement,
19 the board of health or the said commissioners shall
20 notify the owners of such breeding area of the intended
21 abatement, by publication in a newspaper published

22 in the town wherein such area is situated, and shall
23 appoint in the notice a time and place for hearing,
24 and shall at such time and place hear all interested
25 parties. In case an owner of any such area whereon
26 it is proposed to undertake such an abatement ob-
27 jects thereto, he may appeal, not later than fourteen
28 days after the date of said hearing, to the county
29 commissioners, who shall, not later than fourteen days
30 after receipt of notice of such appeal, hear the party
31 or parties aggrieved, the board of health or the said
32 commissioners, and the board or its agent. If the
33 county commissioners shall, within two weeks there-
34 after, determine that the proposed abatement is re-
35 quired for the promotion of the public health, safety
36 or convenience, the abatement may proceed, but not
37 otherwise. A person damaged in his property by any
38 work undertaken under this section may recover his
39 damages in the manner provided in chapter seventy-
40 nine from the city or town whose board of health un-
41 dertakes such work, or from the county or counties
42 wherein any city or town included in the mosquito
43 control project is situated, in case such work is un-
44 dertaken by the commissioners under section five A;
45 provided, that the petition to recover said damages
46 shall be filed within thirty days after the right to the
47 same has vested. All damages paid as aforesaid by
48 the county commissioners shall be assessed upon the
49 cities and towns included in the project on the basis
50 of their taxable valuations as an addition to their
51 respective quotas of the county tax.

The first part of the book is devoted to a general
 introduction to the subject of the history of the
 world. The author discusses the various theories
 of the origin of life and the development of
 the human race. He also touches upon the
 progress of civilization and the influence of
 religion and philosophy upon the human mind.
 The second part of the book is a detailed
 account of the history of the world from the
 beginning of time to the present day. The
 author follows a chronological order, starting
 with the earliest records of human history
 and ending with the events of the present
 century. He discusses the various empires and
 nations that have risen and fallen, and the
 progress of science and art. The book is
 written in a clear and concise style, and is
 well adapted for the use of students and
 general readers alike.