

# SENATE . . . . No. 181

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To accompany the petition of Arthur W. Colburn for the construction of fishways on the Merrimack River at Lawrence and Lowell. Fisheries and Game.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nineteen.

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### AN ACT

To provide for the Construction of Fishways on the Merrimack River at Lawrence and Lowell.

*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 board of commissioners on  
2 fisheries and game acting under the powers now  
3 vested in them by law in relation to fishways,  
4 are hereby directed, during the current year, to  
5 provide, re-establish or construct suitable and  
6 sufficient fishways on the Merrimack river at  
7 Lawrence and Lowell.

1 SECTION 2. The damage and expense incurred  
2 hereunder shall, in accordance with the provisions  
3 of law and of this act, be borne by the owners of

4 the dams located at said points on said river;  
5 but the said commissioners are hereby authorized  
6 to enter into an agreement with the owners of  
7 said dams whereby such portion, if any, of the  
8 said damage or expense as the commissioners  
9 may deem equitable, shall be assumed and paid  
10 by the commonwealth.

1 SECTION 3. Said commissioners are hereby  
2 authorized to expend from the treasury of the  
3 commonwealth, for the purpose of carrying out  
4 the provisions of this act, a sum not exceeding  
5 fifteen thousand dollars in addition to any sum  
6 that may be contributed for said purpose by any  
7 individual, association or municipality. All re-  
8 ceipts and expenditures made hereunder shall be  
9 set forth in the succeeding annual report of said  
10 commissioners.

1 SECTION 4. Nothing contained in this act and  
2 no action of the commissioners hereunder shall be  
3 construed as a waiver or release on the part of the  
4 commonwealth of its right to compel the owners  
5 of said dams to construct and maintain said fish-  
6 ways, nor shall anything in this act, nor any  
7 action of the commissioners hereunder, be so con-  
8 strued as to impair the legal rights or remedies  
9 of any person or corporation.

1 SECTION 5. This act shall take effect upon  
2 passage.