

HOUSE No. 1061.

House, No. 793, as changed by the committee on Bills in the Third Reading, and passed to be engrossed.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Five.

AN ACT

Relative to Petitions for Damages for Land overflowed or injured by Water confined by Dams.

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. Section four of chapter one hun-
2 dred and ninety-six of the Revised Laws is hereby
3 amended by adding at the end of said section the
4 words:— *If the land overflowed or injured is*
5 *outside the Commonwealth such petition shall be*
6 *filed in the superior court for the county in which*
7 *the dam or any part thereof is maintained,*— so
8 as to read as follows:—

9 Section 4. The owner or occupant of land
10 which has been overflowed or otherwise injured

11 by such dam may obtain compensation therefor if,
12 within three years after such injury, he files a
13 petition in the superior court for the county in
14 which the land or any part thereof lies, describing
15 the land alleged to have been overflowed or in-
16 jured and stating the damage sustained so that
17 the record will show with sufficient certainty the
18 matter heard and determined. *If the land over-*
19 *flowed or injured is outside the Commonwealth*
20 *such petition shall be filed in the superior court*
21 *for the county in which the dam or any part*
22 *thereof is maintained.*

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

HOUSE OF REPRESENTATIVES, March 22, 1905.

Passed to be engrossed.

Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*