

HOUSE No. 15.

Commonwealth of Massachusetts.

EXECUTIVE DEPARTMENT, BOSTON, Jan. 4, 1907.

To the Honorable Senate and House of Representatives.

I beg to transmit herewith a communication from the Hon. Robert Shaw Oliver, Acting Secretary of War, together with the draft of a proposed act relative to the purchase by the United States of America of two tracts of land in Boston harbor, and to cede jurisdiction over the same to the general government, for the consideration of your honorable bodies.

CURTIS GUILD, JR.

WAR DEPARTMENT, WASHINGTON, July 18, 1906.

To the Governor of the Commonwealth of Massachusetts, Boston, Mass.

SIR:—By Act of Congress, approved June 25, 1906 (Public No. 284), the Secretary of War is authorized to acquire, for fortification purposes, from the city of Boston, two certain tracts of land situate on Deer Island in Boston harbor, Massachusetts. On June 7, 1906, an order was passed by the City Council of Boston, authorizing the Mayor to convey to the United States the two tracts of land in question; and this order was approved by the Mayor on June 8, 1906.

Under section 355 of the Revised Statutes no public money can be expended on the land so acquired until the consent of the Legislature of the State in which the land is situated has

been given to the purchase. I have the honor, therefore, to inclose the draft of an act for granting the consent of the Commonwealth of Massachusetts to the purchase of the lands in question, and ceding jurisdiction thereover, which draft embodies, substantially, the same provisions as are found in the act of June 8, 1898 (Acts and Resolves of Massachusetts, chapter 512, page 475), by which jurisdiction was ceded to the United States over two tracts of land in the town of Hull.

It is requested that you will submit the accompanying draft to the General Court of the Commonwealth, and use your good offices in securing early action thereon.

Very respectfully,

ROBERT SHAW OLIVER,

Acting Secretary of War.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seven.

AN ACT

To approve the Purchase by the United States of America of Two Tracts of Land on Deer Island, in Boston Harbor, and to cede Jurisdiction over the Same to the General Government.

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. That the consent of the Commonwealth
2 of Massachusetts is hereby granted to the United States
3 of America to the purchase, for fortification purposes,
4 from the city of Boston, of two certain tracts of land on
5 Deer Island, in Boston harbor, Massachusetts, contain-
6 ing together about one hundred acres above mean low-
7 water mark; the said tracts being marked on the grounds
8 by certain monuments, and being designated on a map
9 of survey by G. G. Blackmer, in June, nineteen hundred
10 and five, made under the direction of Col. W. S. Stanton,
11 corps of engineers, United States army.

1 SECTION 2. Jurisdiction over the tracts so purchased
2 is hereby ceded to the United States of America: *pro-*

3 *vided* (and the cession and consent aforesaid are given
4 upon the express condition), that the Commonwealth
5 shall retain a concurrent jurisdiction with the United
6 States in and over the lands so purchased, so far as that
7 all civil processes and such criminal processes as may
8 issue under authority of this Commonwealth against any
9 person or persons charged with crimes committed with-
10 out the said tracts of land may be executed thereon, in
11 the same way and manner as though this cession and
12 consent had not been granted.

1 SECTION 3. The United States government is hereby
2 authorized, upon such terms and conditions as may be
3 prescribed by the harbor and land commissioners, to oc-
4 cupy and fill such flats belonging to the Commonwealth,
5 and to place such structures in or over the tide water
6 adjacent to the area herein authorized to be purchased
7 as may be necessary for the purposes for which said area
8 is to be used.

1 SECTION 4. This act shall be void unless a suitable
2 plan or plans of the premises purchased by the United
3 States under the provisions of this act shall be deposited
4 in the office of the secretary of the Commonwealth within
5 one year from its passage.

1 SECTION 5. This act shall take effect upon its pas-
2 sage.

[COPY.]

JULY 21, 1906.

HON. ROBERT SHAW OLIVER, *Acting Secretary of War, Washington,
D. C.*

SIR:— I am directed by His Excellency the Governor to acknowledge receipt of your communication of the 18th inst., with its enclosed copy of a proposed act approving the purchase by the United States of certain tracts of land on Deer Island in Boston harbor, and ceding jurisdiction over the same to the general government.

The Governor asks me to inform you that your letter and its enclosure will be placed on file in this department for transmission to the next session of the General Court, which will assemble in January, 1907.

Respectfully yours,

CHARLES F. GETTEMY,
Secretary to the Governor.

[COPY.]

JULY 21, 1906.

HON. JOHN F. FITZGERALD, *Mayor's Office, City Hall, Boston.*

SIR:— I am directed by His Excellency the Governor to inform you that he is in receipt of a communication from the Hon. Robert Shaw Oliver, Acting Secretary of War, with reference to the purchase by the United States of America of two tracts of land on Deer Island in Boston harbor, an order for said purchase having been approved by you on June 8th last.

The Honorable Acting Secretary of War calls His Excellency's attention to the provisions of section 355 of the Revised Statutes, whereby no public money can be expended on land so acquired until the consent of the Legislature of the State in which the land is situated has been given to the purchase.

I have therefore to inform you that the Acting Secretary's letter has been placed on file in this department, for transmission (together with a copy of a proposed act ceding jurisdiction over the tracts to be purchased to the general government) to the next General Court at its next session in January, 1907.

Respectfully yours,

CHARLES F. GETTEMY,
Secretary to the Governor.

