

SENATE No. 244.

Commonwealth of Massachusetts

SENATE, April 2, 1895.

The committee on Harbors and Public Lands, to whom was referred the petition of John J. Gardner that certain islands in Nantucket County may be set apart as a public reservation (accompanied by House Bill No. 883), report the accompanying Bill.

For the Committee,

WILLIAM A. MORSE.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-five.

AN ACT

To authorize the Town of Nantucket to take the
Island of Muskeget for Public Purposes.

*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 town of Nantucket, by its
2 selectmen acting as a board in this behalf, may at
3 any time within three years after the passage of
4 this act, enter upon and take by purchase or other-
5 wise any part or the whole, if deemed advisable
6 by said board of selectmen, of the land of the
7 island of Muskeget for a public park.

1 SECT. 2. When said land is entered upon and
2 taken otherwise than by purchase, the said board
3 of selectmen shall within thirty days of said enter-
4 ing upon and taking, cause to be recorded in the
5 registry of deeds in the district where said land
6 lies, a description of the same as certain as is
7 required in common conveyances of land, with a

8 statement of the purpose for which the same is
9 entered upon and taken, which description shall
10 be signed by a majority of said board of select-
11 men; and the fee to the land so entered upon and
12 taken shall vest in said town of Nantucket.

1 SECT. 3. Said town of Nantucket shall pay all
2 damages that shall be sustained by any person or
3 corporation by reason of such entering upon and
4 taking, as aforesaid, such damages to be agreed
5 upon by said board of selectmen and the person
6 or corporation injured; and, if the parties cannot
7 agree, a jury may be had to determine the same
8 in the same manner as a jury is had and damages
9 determined in the case of persons dissatisfied with
10 the estimate of damages sustained in the laying
11 out of highways: *provided, however*, that no suit
12 for such damages shall be brought after the ex-
13 piration of two years from the date of the record-
14 ing of the entering upon and taking herein
15 required.

