

SENATE No. 164.

Commonwealth of Massachusetts.

EXECUTIVE DEPARTMENT, BOSTON, March 28, 1871.

To the Honorable Senate :

I return herewith without my approval, the bill entitled " An Act to authorize William H. Swift and Lemuel M. Brock to construct a wharf in Nahant." The parties to whom the grant is made are not residents of Nahant, and own no property there. They leased about an acre of land at Bass Point, but the lessors had no knowledge of their intention to construct a wharf, and when the application for a license was made to the legislature they strenuously opposed the grant. The people of the town by a very large majority instructed the selectmen to protest against the application, and every householder is opposed to it.

There seems to be no public demand for any such structure, and the proposed landing is not for the benefit of the people of Nahant and is not asked for by them. No road nor public street leads to the piece of land in question and none is demanded by the public convenience. In a single instance only has the State made a grant of this character to parties holding an estate by lease, and then there was no protest from owners of the soil. It would seem to be an unwise precedent to give to lessees of small pieces of territory bordering on the ocean, licenses for the construction of wharves against the protest of the owner in fee and the inhabitants in the neighborhood. A grant of this kind should be for the public good, or, at least, not to the detriment of the neighbors of the grantees.

For these reasons I have withheld my assent to the bill and return it to the branch in which it originated, for reconsideration.

WILLIAM CLAFLIN.

