

SENATE . . . . . No. 256.

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Commonwealth of Massachusetts.

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SENATE, May 2, 1889.

The Committee on Fisheries and Game, to whom was referred the Order relative to whether any further legislation is necessary in relation to the lease of fisheries in Tisbury Great Pond, so called, in the Island of Martha's Vineyard, to protect the Commonwealth's interest therein, and whether the same should be renewed, and sundry petitions in aid thereof, report the accompanying Bill.

For the Committee,

BENJ. F. COOK.

## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Eighty-nine.

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### AN ACT

To authorise the Leasing of Tisbury Great Pond.

*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 commissioners on Inland  
2 Fisheries, or any two of them, may, for a term  
3 not exceeding eleven years, in the name of the  
4 Commonwealth, lease the pond known as and  
5 called Tisbury Great Pond, in the county of  
6 Dukes County, and any of the arms, coves and  
7 bays connected therewith, for the purpose of  
8 cultivating useful fishes for such periods of time  
9 and on such terms and conditions as may seem  
10 to them most for the public good : *provided*, that  
11 nothing herein shall impair or abridge the right  
12 of any citizen of the Commonwealth to take fish  
13 in said pond, or the waters connected therewith,  
14 by hook and line, at such times and under such  
15 restrictions and limitations as are permitted  
16 under any laws of the Commonwealth now or  
17 hereafter enacted relating to the taking of fish  
18 by hook and line.

1    SECT. 2. Before making such lease, the com-  
2 missioners shall appoint a time and place for a  
3 hearing upon the application therefor, and shall  
4 give notice thereof to all the towns within whose  
5 limits any part of said pond lies.

1    SECT. 3. Said towns within whose limits any  
2 part of said pond lies, may, for the purpose of  
3 cultivating useful fishes, and under such condi-  
4 tions and restrictions as they may prescribe, take  
5 a lease of said pond and appropriate money  
6 therefor.

1    SECT. 4. The commissioners may fix the  
2 limits of the said pond, and the arms, coves and  
3 bays connected therewith; which limits, being  
4 recorded in the registry of deeds for said county,  
5 shall be taken to be the legal limits thereof for  
6 all the purposes of this act.

1    SECT. 5. The commissioners shall have the  
2 custody of all such leases, and may cause any  
3 agreements, rights, reservations, forfeitures and  
4 conditions therein contained to be enforced, and  
5 for that purpose may institute proceedings in the  
6 name of the Commonwealth, and may take pos-  
7 session of any premises for breach of condition  
8 of such lease, and, after revesting the Common-  
9 wealth therewith, may again lease the same.

1    SECT 6. This act shall take effect on its  
2 passage.

