

SENATE No. 185.

Commonwealth of Massachusetts.

SENATE, April 27, 1897.

The committee on Harbors and Public Lands, to whom was referred the petition of Nathan E. West and others that the Board of Harbor and Land Commissioners be authorized and instructed to cut a channel from Vineyard Sound to Osterville Bay (accompanied by bill, Senate, No. 98), report the accompanying Bill.

For the Committee,

J. LORING WOODFALL.

Commonwealth of Massachusetts.

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

AN ACT

To authorize the Construction of a Channel from
Osterville Bay to Vineyard Sound.

*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 board of harbor and land
2 commissioners are hereby instructed to cause an
3 examination to be made by competent engineers
4 of the strip of land lying between Osterville bay
5 and Vineyard sound at a point between Wiano
6 beach and the mouth of Sepuit river, and if upon
7 the report of such engineers, which shall be made
8 within four months from the passage of this act,
9 said board shall decide that it would improve the
10 harbor afforded by said bay to cut a channel from
11 said bay to Vineyard sound through said strip of
12 land, then said board shall cause such channel to
13 be cut, of such dimensions as said board shall
14 deem necessary for the passage of vessels to and
15 from said Osterville bay and Vineyard sound.

1 SECT. 2. Said board may take, in the name
2 and behalf of the Commonwealth, any land or
3 materials necessary for the construction of said
4 channel, and the manner of such taking and of
5 determining the damages caused thereby or by
6 any of the doings of said board under the provis-
7 ions of this act, shall be the same as provided by
8 sections seven and eight of chapter four hundred
9 and seven of the acts of the year eighteen hun-
10 dred and ninety-three relative to the taking of
11 land by the metropolitan park commission; and
12 said board of harbor and land commissioners
13 shall, for the purposes of this act, have all the
14 powers conferred upon said park commission by
15 said sections. The damages, when finally deter-
16 mined, shall be paid to the person or persons en-
17 titled thereto from the treasury of the Common-
18 wealth.

1 SECT. 3. To defray the expense of the exam-
2 ination required to be made under this act and of
3 the excavation of the channel between Osterville
4 bay and Vineyard sound, a sum not exceeding
5 eight thousand five hundred dollars is hereby ap-
6 propriated to be paid out of the treasury of the
7 Commonwealth upon the order of said board of
8 harbor and land commissioners. One thousand
9 dollars of said sum shall be used for the survey
10 and examination of said Osterville bay, Cotuit
11 harbor and the strip of land between said bay and
12 Vineyard sound; and the balance of said sum, or
13 so much thereof as may be necessary, shall be

14 used in constructing said channel in case said
15 board shall determine the same to be advisable.

1 SECT. 4. This act shall take effect upon its
2 passage.