

HOUSE . . . . . No. 1100.

---

---

Commonwealth of Massachusetts.

---

HOUSE OF REPRESENTATIVES, March 21, 1898.

The committee on Harbors and Public Lands, to whom was referred the petition (with accompanying bill, Senate, No. 140) of N. H. Emmons and others for incorporation as the Falmouth Harbor Company, for the purpose of constructing a channel between Salt Pond and Vineyard Sound, report the accompanying bill.

For the Committee,

BUTLER AMES.

## Commonwealth of Massachusetts.

---

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

---

### AN ACT

To incorporate the Falmouth Harbor Company.

*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. Robert W. Emmons, second, William B.  
2 Bacon, Roland Worthington, Edward N. Fenno, James  
3 Arthur Beebe, Charles H. Jones, Edwin P. Boggs,  
4 Thomas J. McLane, Herbert H. Lawrence, Joshua C.  
5 Robinson, John H. Crocker, William H. Hewins, Henry  
6 V. Lawrence, their associates and successors, are hereby  
7 made a corporation by the name of the Falmouth Harbor  
8 Company, for the purpose of connecting Salt Pond, so  
9 called, in the town of Falmouth, with the waters of  
10 Vineyard Sound, by making a cut of such width and  
11 depth as will enable the said Salt Pond to be used as a  
12 harbor by yachts, pleasure boats and coastwise vessels.

1 SECTION 2. Said corporation may for the purposes  
2 set forth in this act hold real estate not exceeding in  
3 amount ten thousand dollars, and the whole capital stock  
4 of said corporation shall not exceed twenty thousand

5 dollars, to be divided into shares of twenty-five dollars  
6 each.

1 SECTION 3. Said corporation for the purposes aforesaid  
2 may take by purchase, gift or otherwise and hold in fee  
3 all lands, rights of way and easements necessary for so  
4 connecting said pond with the sea, and for establishing  
5 said harbor, but shall in all respects be subject to the  
6 provisions of chapter nineteen of the Public Statutes and  
7 of any other laws which now are or hereafter may be in  
8 force applicable thereto.

1 SECTION 4. The said corporation shall, within sixty  
2 days after the taking of any lands, rights of way or ease-  
3 ments as aforesaid otherwise than by purchase, file and  
4 cause to be recorded in the registry of deeds for the  
5 county of Barnstable a description thereof sufficiently  
6 accurate for identification, with a statement of the pur-  
7 poses for which the same were taken, signed by the  
8 president of the corporation.

1 SECTION 5. Said corporation shall pay all damages  
2 sustained by any person or corporation to property by  
3 the taking of land, right of way or easement, or by any  
4 other thing done by said corporation under the authority of  
5 this act. Any person or corporation sustaining damages  
6 as aforesaid under this act who fails to agree with said  
7 corporation as to the amount of damages sustained, may  
8 have the damages assessed and determined in the manner  
9 provided by law when land is taken for laying out of  
10 highways, upon application at any time within the period  
11 of three years from the taking of such land or other  
12 property, or the doing of any other injury under the  
13 authority of this act; but no such application shall be  
14 made after the expiration of three years.

1 SECTION 6. The town of Falmouth is hereby author-  
2 ized to raise by taxation a sum of money not exceeding  
3 one thousand dollars per year, and to appropriate the  
4 same for the maintenance, repair and improvement of  
5 said harbor. The harbor, when constructed, shall be  
6 within the provisions of chapter nineteen of the Public  
7 Statutes and all acts amendatory thereof; and in addition  
8 to the powers now possessed, the harbor master may  
9 annually locate to applicants fixed moorings, for which  
10 a reasonable toll may be charged, and the proceeds  
11 thereof shall be applied to the preservation and main-  
12 tenance of the harbor and the entrance thereto, by and  
13 in such manner as said corporation may direct.

1 SECTION 7. This act shall take effect upon its accept-  
2 ance by the town of Falmouth at a meeting to be called  
3 for the purpose.