

AN ACT RELATIVE TO THE TRANSFER OF THE CARE AND CONTROL OF THE CHARLES RIVER DAM AND BASIN TO THE METROPOLITAN PARK COMMISSION. *Chap. 368*

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter four hundred and sixty-five of the acts of the year nineteen hundred and three is hereby amended by striking out the last sentence thereof, so as to read as follows: — *Section 3.* The commission shall construct across Charles river between the cities of Boston and Cambridge, a dam, at least sufficiently high to hold back all tides and to maintain in the basin above the dam a substantially permanent water level not less than eight feet above Boston base. The dam shall occupy substantially the site of the present Craigie bridge, which shall be removed by the commission. The dam shall be not less than one hundred feet in width at said water level and a part thereof shall be a highway and the remainder shall be a highway, or a park or parkway, as the commission shall determine. The dam shall be furnished with a lock not less than three hundred and fifty feet in length between the gates, forty feet in width and thirteen feet in depth below Boston base, and shall be built with a suitable drawbridge or drawbridges, wasteways and other appliances.

1903, 465, § 3,
amended.

Dam to be
constructed
across
Charles river.

SECTION 2. Section seven of said chapter four hundred and sixty-five is hereby amended by inserting after the word “exclusive”, in the fourth line, the words: — care and, — by inserting after the word “lock”, in the fifth line, the words: — and of any highway, park or parkway, drawbridge or drawbridges, constructed in connection therewith, — by inserting after the word “lock”, in the ninth line, the words: — highway, park or parkway, drawbridge or drawbridges, — by striking out the words “the part of the dam used as a highway and”, in the tenth line, by striking out the word “the”, before the word “basin”, in the fourteenth line, and inserting in place thereof the word: — said, — by inserting after the word “basin”, in the fourteenth line, the words: — dam, lock, highway, park, parkway, drawbridge or drawbridges, breaches of which rules shall be breaches of the peace, punishable as such, — by inserting after the word “lock”, in the fifteenth line, the words: — and drawbridge or drawbridges, — and by

1903, 465, § 7,
amended.

adding at the end thereof the words:— Said metropolitan park commission shall also have and exercise over said basin, dam, lock, highway, park, parkway, drawbridge or drawbridges, all other power, duties and liabilities now imposed upon said commission by chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three and acts in addition thereto and in amendment thereof relative to the care, maintenance and control by said commission of open spaces for exercise and recreation so far as the provisions of said acts are consistent with the provisions of this act, — so as to read as follows:—

The metro-
politan park
commission
to have care
of dam, etc.

Section 7. The metropolitan park commission, when the work provided for in the preceding sections is finished, shall, subject to the powers vested by law in the state board of health, have exclusive care and control of the dam and lock and of any highway, park or parkway, drawbridge or drawbridges, constructed in connection therewith and of the basin and river between the dam and the city of Waltham, as a part of the metropolitan parks system, and of all poles, wires and other structures placed or to be placed on, across, over or in any part of said basin, dam or lock, highway, park or parkway, drawbridge or drawbridges, and of the placing thereof, except the bridges and other structures erected by any city or town within its limits and upon its own lands; may make reasonable rules and regulations, not impairing freight traffic, for the care, maintenance, protection and policing of said basin, dam, lock, highway, park, parkway, drawbridge or drawbridges, breaches of which rules shall be breaches of the peace, punishable as such; and throughout the year shall operate the lock and drawbridge or drawbridges without charge, maintain the lock, channels and canals aforesaid at the depths aforesaid, and clear of obstructions caused by natural shoaling or incident to the building of the dam, and maintain the water in the basin at such level and the lock, channels and canals sufficiently clear of obstructions by ice so that any vessel ready to pass through the lock, and requiring no more depth of water than aforesaid, can pass through to the wharves aforesaid. In the event of an emergency, requiring the temporary reduction of such level, notice thereof shall be given to the occupants of said wharves, and such reduction shall not be lower nor continue longer than the emergency requires. Said metropolitan park commission may order the removal of all direct

sewage or factory waste as a common nuisance from the river and its tributaries below the city of Waltham; and no sewer, drain, overflow or other outlet for factory or house drainage shall hereafter be connected with the basin below said city without the approval of the metropolitan park commission. Said metropolitan park commission shall also have and exercise over said basin, dam, lock, highway, park, parkway, drawbridge or drawbridges, all other power, duties and liabilities now imposed upon said commission by chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three and acts in addition thereto and in amendment thereof relative to the care, maintenance and control by said commission of open spaces for exercise and recreation so far as the provisions of said acts are consistent with the provisions of this act.

SECTION 3. When the work of the Charles river basin commission as provided for in said chapter four hundred and sixty-five is finished, said commission shall certify the fact in writing to the metropolitan park commission, and such certificate or a copy of the same, attested by any member of the metropolitan park commission or by its secretary, shall be prima facie evidence that the exclusive care and control of said dam, lock, highway, park or parkway, drawbridge or drawbridges, are vested in the metropolitan park commission.

When dam is completed the Charles river basin commission to certify the same, etc.

SECTION 4. So much of chapter four hundred and sixty-seven of the acts of the year eighteen hundred and ninety-eight as is inconsistent herewith is hereby repealed.

Repeal.

SECTION 5. This act shall take effect upon its passage.

Approved May 8, 1906.

AN ACT TO ESTABLISH THE BASES FOR DETERMINING THE ANNUAL ASSESSMENTS UPON THE MUNICIPALITIES WITHIN THE METROPOLITAN SEWERAGE DISTRICTS FOR INTEREST AND SINKING FUND REQUIREMENTS AND COST OF MAINTENANCE AND OPERATION.

Chap. 369

Be it enacted, etc., as follows:

SECTION 1. The proportions in which each of the cities and towns belonging in whole or in part to the north metropolitan and south metropolitan sewerage districts, respectively, shall annually pay money into the treasury of the Commonwealth to meet the interest and sinking fund requirements for each year, as estimated by the treasurer of

Proportion of expense of the metropolitan sewerage system to be borne by cities and towns, etc.