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A C T S
AND
R E S O L V E S

PASSED BY THE

General Court of Massachusetts,

IN THE YEAR

1 8 8 2 ,

TOGETHER WITH

THE CONSTITUTION, THE MESSAGES OF THE GOVERNOR,
LIST OF THE CIVIL GOVERNMENT, CHANGES
OF NAMES OF PERSONS,
ETC., ETC.

PUBLISHED BY THE
SECRETARY OF THE COMMONWEALTH.



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1882.

A CONSTITUTION
OR
FORM OF GOVERNMENT
FOR THE
Commonwealth of Massachusetts.

PREAMBLE.

THE end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic, how formed. Its nature.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into

an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

ARTICLE I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein.
2 Cush. 104.
12 Allen, 129.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping GOD in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendment, Art. XI. substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of GOD, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of GOD, and for the support and maintenance of public Protestant teachers of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

Legislature empowered to compel provision for public worship;

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

and to enjoin attendance thereon.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

Exclusive right of electing religious teachers secured.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

Option as to whom parochial taxes may be paid, unless, etc.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

All denominations equally protected. 8 Met. 162. Subordination of one sect to another prohibited.

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

Right of self-government secured.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

Accountability of all officers, etc.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the

Objects of government; right of people to

Institute and change it.

people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestible, unalienable, and indefeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

Right of people to secure rotation in office.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

All, having the qualifications prescribed, equally eligible to office.
For the definition of "inhabitant," see Ch. 1, Sect. 2, Art. 11.
Right of protection and duty of contribution correlative.
Taxation founded on consent.
16 Mass. 326.
1 Pick. 418.
7 Pick. 344.
12 Pick. 184, 467.
16 Pick. 87.
23 Pick. 560.
7 Met. 388.
4 Gray, 474.
7 Gray, 363.
14 Gray, 134.
1 Allen, 150.
4 Allen, 474.
Private property not to be taken for public uses without, etc.
6 Cush. 327.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

122 Mass. 595, 596.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

14 Gray, 155.	12 Allen, 223, 230.	108 Mass. 202, 213.	126 Mass. 428, 441.
16 Gray, 417, 431.	109 Mass. 514, 560.	111 Mass. 130.	127 Mass. 50, 52.
1 Allen, 150.	103 Mass. 120, 124.	113 Mass. 45.	358, 353, 410, 413.
11 Allen, 530.	106 Mass. 356, 362.	116 Mass. 463.	129 Mass. 559.

Remedies, by recourse to the law, to be free, complete and prompt.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

Prosecutions regulated.
8 Pick. 211.
10 Pick. 9.
18 Pick. 434.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially, and formally, described to him; or be compelled to accuse,

or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

100 Mass. 287, 295. 108 Mass. 5, 6. 122 Mass. 332. 127 Mass. 550, 554.
 103 Mass. 418. 118 Mass. 443, 451. 124 Mass. 464. 129 Mass. 559.
 107 Mass. 172, 180. 120 Mass. 118, 120.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

114 Mass. 388, 390. 122 Mass. 505, 516. 125 Mass. 182, 188.
 120 Mass. 320, 321. 123 Mass. 590, 595. 125 Mass. 600.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and

21 Pick. 542.
 2 Met. 329.
 12 Cush. 246.
 1 Gray, 1.
 5 Gray, 160.
 8 Gray, 320.
 10 Gray, 11.
 11 Gray, 438.
 2 Allen, 361.
 11 Allen, 238-
 240, 264, 459,
 473.
 12 Allen, 170.
 97 Mass. 570,
 573.

Right to trial by jury in criminal cases, except, etc.
 8 Gray, 320, 373.
 103 Mass. 418.

Crimes to be proved in the vicinity.
 2 Pick. 350.
 121 Mass. 61, 62.

Right of search and seizure regulated.
 Const. of U. S., Amend't IV.
 2 Met. 329.
 5 Cush. 369.
 1 Gray, 1.
 13 Gray, 454.
 10 Allen, 403.
 109 Mass. 136,
 137.
 126 Mass. 269,
 273.

Right to trial by jury sacred, except, etc.
 Const. of U. S., Amend't VII.
 2 Pick. 382.
 7 Pick. 305.
 5 Gray, 144.
 8 Gray, 373.
 11 Allen, 574,
 577.
 102 Mass. 45, 47.

Liberty of the press.

Right to keep and bear arms. Standing armies dangerous. Military power subordinate to civil.
 5 Gray, 121.

the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifications for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obligations of lawgivers and magistrates.

Right of people to instruct representatives and petition legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Power to suspend the laws or their execution.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

Freedom of debate, etc., and reason thereof.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Frequent sessions, and objects thereof.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Taxation founded on consent. 8 Allen, 247.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

Ex post facto laws prohibited. 12 Allen, 421, 424, 428, 431.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Legislature not to convict of treason, etc.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

Excessive bailor fines, and cruel punishments, prohibited.
5 Gray, 482.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Judges of supreme judicial court.
3 Pick. 471.
1 Gray, 472.
4 Allen, 591.
7 Allen, 385.
105 Mass. 219, 221, 225.
Tenure of their office.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

Salaries.

Separation of executive, judicial, and legislative departments.
2 Cush. 577.
2 Allen, 361.
8 Allen, 247, 253.
100 Mass. 282, 286.
114 Mass. 247, 249.
116 Mass. 317.
129 Mass. 559.

PART THE SECOND.

The Frame of Government.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of **THE COMMONWEALTH OF MASSACHUSETTS.**

Title of body politic.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative department.

For change of time, etc., see amendments, Art. X.

Governor's veto. 99 Mass. 636.

Bill may be passed by two-thirds of each house, notwithstanding.

For exception in case of adjournment of the general court within the five days, see amendments, Art. I, § Mass. 597.

General court may constitute judiciary,

ARTICLE I. The department of legislation shall be formed by two branches, a Senate and House of Representatives; each of which shall have a negative on the other.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revision; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases, the votes of both houses shall be determined by yeas and nays: and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

III. The general court shall forever have full power and authority to erect and constitute judiciary and

courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, plaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same: whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and sup-

courts of record,
etc.
8 Gray, 1.
12 Gray, 147,
154.

Courts, etc.,
may administer
oaths.

General court
may enact laws,
etc.

9 Gray, 426,
4 Allen, 473,
12 Allen, 223,
257,
109 Mass. 544,
557,
116 Mass. 467,
470.

may enact
laws, etc., not
repugnant to
the constitution.
6 Allen, 358.

may provide
for the election
or appointment
of officers.
115 Mass. 602.

may prescribe
their duties.

may impose
taxes, etc.
12 Mass. 252.
5 Allen, 428.
6 Allen, 558.
8 Allen, 247, 253.
10 Allen, 235.
11 Allen, 268.
12 Allen, 77, 222,
235, 238, 240, 298,
304, 312, 313, 500,
612.
98 Mass. 19.
103 Mass. 285.
101 Mass. 575,
583.
103 Mass. 267.
114 Mass. 388,
391.

116 Mass. 461.
118 Mass. 386,
389.
125 Mass. 493,
495.
127 Mass. 413.

may impose
taxes, etc., to be
disposed of for
defence, protec-
tion, etc.

8 Allen, 247, 256.

Valuation of
estates once in
ten years, at
least, while, etc.
8 Allen, 247.
126 Mass. 547.

port of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

For the authority of the general court to charter cities, see amendments, Art. II.

CHAPTER I.

SECTION II.

Senate.

Senate, number
of, and by whom
elected.
Superseded by
amendments,
Art. XIII.,
which was also
superseded by
amendments,
Art. XXII.

For provision as
to councillors,
see amend-
ments, Art.
XVI.

Counties to be
districts, until,
etc.

ARTICLE I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thirteen; and that no district be so large as to entitle the same to choose more than six senators.]

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz.: — Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.: there shall be a meeting on the [first Monday in April,] annually, forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word "inhabitant" in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] annually; or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councillors and senators,

Manner and time of choosing senators and councillors.
Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.
As to cities, see amendments, Art. II.
These provisions as to the qualifications of voters, superseded by amendments, Arts. III., XX., and XXVIII.
Word "inhabitant" defined.
See also amendments, Art. XXIII., which was annulled by Art. XXVI.
12 Gray, 21.
122 Mass. 595, 597.

Selectmen to preside at town meetings.

Return of votes.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January.
See amendments, Art. X.

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

Plantation meetings. Time of election changed by amendments, Art. XV. Assessors to notify, etc.

in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.

Governor and council to examine and count votes, and issue summonses. Time changed to first Wednesday in January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summonses to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summonses to the persons so elected, that they may take their seats as aforesaid.

Senate to be final judge of elections, etc., of its own members. Time changed to first Wednesday of January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as pointed out in the constitution; and shall, [on the said last Wednesday in May] annually, determine and declare who are elected by each district to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacancies in such district; and in this manner all such vacancies shall be filled up in

Vacancies, how filled. Changed to election by

every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

people.
See amend-
ments, Art.
XXIV.

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

Qualifications of
a senator.
Property qual-
ification abol-
ished.
See amend-
ments, Art.
XIII.
For further pro-
vision as to
residence, see
also amend-
ments, Art.
XXII.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

Senate not to
adjourn more
than two days.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

shall choose
its officers and
establish its
rules.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit, under this commonwealth: but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

shall try all
impeachments.

Oath.
Limitation of
sentence.

IX. Not less than sixteen members of the senate shall constitute a quorum for doing business.

Quorum.
For further pro-
visions, see
amendments,
Art. XXII.

CHAPTER I.

SECTION III.

House of Representatives.

ARTICLE I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

Representation
of the people.

Representatives, by whom chosen.
Superseded by amendments, Arts. XII. and XIII., which were also superseded by amendments, Art. XXI.
7 Mass. 523.

Proviso as to towns having less than 150 ratable polls.

Towns liable to fine in case, etc.

Expenses of travelling to and from the general court, how paid.

Qualifications of a representative.
New provision as to residence. See amendments, Art. XXI.
Property qualifications abolished by amendments, Art. XIII.

Qualifications of a voter.
These provisions superseded by amendments, Arts. III., XX. and XXVIII. See also amendments, Art. XIII., which was annulled by Art. XXVI.
Representatives, when chosen.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.]

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeable to this constitution.

The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the same town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

House alone can impeach.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

House to originate all money bills.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

not to adjourn more than two days.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

quorum. Superseded by amendments, Art. XXI.

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

to judge of returns, etc., of its own members; to choose its officers and establish its rules, etc.

may punish for certain offences. 14 Gray, 226.

And no member of the house of representatives shall be arrested, or held to bail on mean process, during his going unto, returning from, or his attending the general assembly.

Privileges of members.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Senate. Governor and council may punish. General limitation. 14 Gray, 226.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

Trial may be by committee, or otherwise.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Governor.

ARTICLE I. There shall be a supreme executive magistrate, who shall be styled—THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be—HIS EXCELLENCY.

His title.

To be chosen annually.
Qualifications.

II. The governor shall be chosen annually; and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth for seven years next preceding; and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds; [and unless he shall declare himself to be of the Christian religion.]

Requirement of religious declaration abolished by amendments, Art. VII.

By whom chosen, if he have a majority of votes.

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January by amendments, Art. X.

Changed to plurality by amendments, Art. XIV.

How chosen, when no person has a majority.

III. Those persons who shall be qualified to vote for senators and representatives within the several towns of this commonwealth shall, at a meeting to be called for that purpose, on the [first Monday of April] annually, give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the [last Wednesday in May]; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said [last Wednesday in May]; or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before the said day; and the secretary shall lay the same before the senate and the house of representatives on the [last Wednesday in May], to be by them examined; and [in case of an election by a majority of all the votes returned], the choice shall be by them declared and published; [but if no person shall have a majority of

votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.]

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

Power of governor, and of governor and council.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

May adjourn or prorogue the general court upon request, and convene the same. As to dissolution, see amendments, Art. X.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

As to dissolution, see amendments, Art. X.

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor and council may adjourn the general court in cases, etc., but not exceeding ninety days.

VII. The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy; and, for the special defence and safety of the

Governor to be commander-in-chief.

commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Limitation.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.

Governor and council may pardon offences, except, etc.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.

But not before conviction.
109 Mass. 323.

Judicial officers, etc., how nominated and appointed.
For provisions

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of probate,] shall be nominated and appointed by the gov-

error, by and with the advice and consent of the council ; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

as to election of attorney-general, see amendments, Art. XVII.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX. For provision as to appointment of notaries public, see amendments, Art. IV.

X. The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards ;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments ; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades ; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

Militia officers, how elected. Limitation of age struck out by amendments, Art. V.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

How commissioned. Election of officers.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other ; and be commissioned by the governor.

Major-generals, how appointed and commissioned.

For provisions as to appointment of a commissary-general, see amendments, Art. IV.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elections, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Vacancies, how filled, in case, etc.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

The commanding officers of regiments shall appoint their adjutants and quartermasters ; the brigadiers their brigade-majors ; and the major-generals their aids ; and the governor shall appoint the adjutant-general.

Adjutants, etc., how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Army officers, how appointed.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.

Organization of militia.

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

All public boards, etc., to make quarterly returns.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

Salary of governor.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salaries of justices of supreme judicial court.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

Salaries to be enlarged if insufficient.

CHAPTER II.

SECTION II.

Lieutenant-Governor.

ARTICLE I. There shall be annually elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be—HIS HONOR; and who shall be qualified, in point of [religion,] property, and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; [and if no one person shall be found to have a majority of all the votes returned, the vacancy shall be filled by the senate and house of representatives, in the same manner as the governor is to be elected, in case no one person shall have a majority of the votes of the people to be governor.]

Lieutenant-governor; his title and qualifications. The requirement of a declaration of belief in the christian religion was abolished by amendments, Art. VII.

How chosen.

Election by plurality provided for by amendments, Art. XIV.

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

President of council. Lieutenant-governor a member of, except, etc.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

Lieutenant-governor to be acting governor, in case, etc.

CHAPTER II.

SECTION III.

Council, and the Manner of settling Elections by the Legislature.

ARTICLE I. There shall be a council for advising the governor in the executive part of the government, to

Council. Number of councillors

changed to eight.
See amendments, Art. XVI.

consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Number; from whom, and how chosen.
Modified by amendments, Arts. X. and XIII.
Superseded by amendments, Art. XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

If senators become councillors, their seats to be vacated.

Rank of councillors.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

No district to have more than two.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.]

Superseded by amendments, Art. XVI.

Register of council.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Council to exercise the power of governor in case, etc.

VI. Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by virtue of this constitution, do or execute, if they, or either of them, were personally present.

Elections may be adjourned until, etc.

VII. [And whereas the elections appointed to be made, by this constitution, on the last Wednesday in May annually, by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: the vacancies in

Order thereof.
Superseded by

the senate, if any, shall first be filled up; the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.]

amendments, Arts. XVI. and XXV.

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

ARTICLE I. [The secretary, treasurer, and receiver-general, and the commissary-general, notaries public, and] naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible as treasurer and receiver-general more than five years successively.

For provision as to appointment of notaries public and the commissary-general, see amendments, Art. IV.

Secretary, etc., by whom and how chosen. For provision as to election of secretary, treasurer, and receiver-general, and auditor and attorney-general, see amendments, Art. XVII.

Treasurer ineligible for more than five successive years.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

Secretary to keep records; to attend the governor and council, etc.

CHAPTER III.

JUDICIARY POWER.

ARTICLE I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned, and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office during good behavior, except, etc. But may be removed on address.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of supreme judicial court to give opinions when required. 122 Mass. 600, 126 Mass. 557, 561.

Justices of the peace; tenure of their office. 3 Cush. 554.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

Provisions for holding probate courts. 12 Gray, 147.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

Of marriage, divorce, and alimony. Other provisions made by law. 105 Mass. 327. 116 Mass. 317.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

CHAPTER IV.

DELEGATES TO CONGRESS.

Delegates to congress.

The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions under the hand of the governor, and the great seal of the commonwealth; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

Harvard College.

ARTICLE I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six,

laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences which qualified them for public employments, both in church and state; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America, — it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled to have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

Powers, privileges, etc., of the president and fellows, confirmed.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

All gifts, grants, etc., confirmed.

III. And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the con-

Who shall be overseers.

See Statutes,
1551, 224.
1852, 27.
1859, 212.
1865, 173.
1880, 65.

Power of alteration reserved to the legislature.

gregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Art. XVIII. 12 Allen, 500-503. 103 Mass. 94, 97.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

Oaths, etc.

ARTICLE I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accept-

ing the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz. :

“I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth ; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected.”

Abolished. See amendments, Art. VII.

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the presence of the two houses of assembly ; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution ; and forever afterwards before the governor and council for the time being.]

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz. :

Declaration and oaths of all officers.

[“I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and independent state ; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever ; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever ; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States : and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation ; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, God.”]

For new oath of allegiance, see amendments, Art. VI.

Oath of office.

“I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, God.”

Proviso.
See amend-
ments, Art. VI.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [*I do swear,*” “*and abjure,*” “*oath or,*” “*and abjuration,*” in the first oath; and in the second oath, the words] “*swear and,*” and [in each of them] the words “*So help me, God;*” subjoining instead thereof, “*This I do under the pains and penalties of perjury.*”

Oaths and
affirmations,
how adminis-
tered.

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councilors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Plurality of
offices prohib-
ited to governor,
etc., except, etc.
See amend-
ments, Art.
VIII.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

Same subject.
1 Allen, 653.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz.: judge of probate — sheriff — register of probate — or register of deeds; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

Incompatible
offices.
For further pro-

No person holding the office of judge of the supreme judicial court — secretary — attorney-general — solicitor-

general — treasurer or receiver-general — judge of probate — commissary-general — [president, professor, or instructor of Harvard College] — sheriff — clerk of the house of representatives — register of probate — register of deeds — clerk of the supreme judicial court — clerk of the inferior court of common pleas — or officer of the customs, including in this description naval officers — shall at the same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up.

visions as to incompatible offices, see amendments, Art. VIII. Officers of Harvard College excepted by amendments, Art. XXVII.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council; or any councillor shall accept of either of those offices or places.

Incompatible offices.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

Bribery, etc., disqualify.

III. In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.

Value of money ascertained.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Property qualifications may be increased. See amendments, Art. XIII.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts; they shall be under the seal of the court from whence they issue; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Provisions respecting commissions.

Provisions respecting writs. 2 Pick. 592. 3 Met. 53. 13 Gray, 74.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Continuation of former laws, except, etc. 1 Mass. 59. 2 Mass. 534. 8 Pick. 309, 316. 16 Pick. 107, 115. 2 Met. 118.

Benefit of *habeas corpus* secured, except, etc.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

The enacting style.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — “Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same.”

Officers of former government continued until, etc.

IX. To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy, all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments, and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority.

Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments.

Provision for revising constitution.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

Provision for preserving and publishing this constitution.

ARTICLES OF AMENDMENT.

ARTICLE I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

Bill, etc., not approved within five days, not to become a law, if legislature adjourn in the mean time.
3 Mass. 567.
See Const., Ch. I. § 1, Art. II.

ART. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

General court empowered to charter cities.
122 Mass. 354.

Proviso.
112 Mass. 200.

ART. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which

Qualifications of voters for governor lieutenant-governor, senators and representatives.
11 Pick. 538, 540.

14 Pick. 341.
 14 Mass. 367.
 5 Met. 162, 298,
 591, 594.
 7 Gray, 299.
 122 Mass. 595,
 597.
 124 Mass. 596.
 For educational
 qualification,
 see amend-
 ments, Art. XX.
 For provisions as
 to those who
 have served in
 the army or
 navy in time of
 war, see amend-
 ments, Art.
 XXVIII.

Notaries public,
 how appointed
 and removed.

Vacancies in the
 offices of secre-
 tary and treas-
 urer, how filled.
 This clause
 superseded by
 amendments,
 Art. XVII.

Commissary-
 general may be
 appointed, in
 case, etc.

Militia officers,
 how removed.

Who may vote
 for captains and
 subalterns.

Oath to be taken
 by all officers.
 See Const.,
 Ch. VI. Art. I.

he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned, shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such elections.

See also amendments, Art. XXIII., which was annulled by amendments, Art. XXVI.

ART. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed, and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.

ART. V. In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.

ART. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:—

“I, A. B., do solemnly swear, that I will bear true faith

and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, GOD."

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word "swear" and inserting, instead thereof, the word "affirm," and omitting the words "So help me, God," and subjoining, instead thereof, the words, "This I do under the pains and penalties of perjury."

Proviso. Quakers may affirm.

ART. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Tests abolished.

ART. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer, and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Incompatibility of offices.
122 Mass. 445,
609.
123 Mass. 535.

ART. IX. If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the

Amendments to constitution, how made.

senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.

Commencement
of political year,

ART. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and done at the session which has heretofore commenced on the

and termination.

last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

Meetings for the
choice of gov-
ernor, lieuten-
ant-governor,
etc., when to be
held.
This clause
superseded by
amendments,
Art. XV.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

Article, when to
go into opera-
tion.

This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who

are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.

Inconsistent provisions annulled.

ART. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted:—

Religious freedom established. See Dec. of Rights, Art. III.

“As the public worship of GOD and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.”

122 Mass. 40, 41.

ART. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII., which was also superseded by

amendments, Art. XXI. Representatives, how apportioned.

one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred ratable polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Towns having less than 300 ratable polls, how represented.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Fractions, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Towns may unite into representative districts.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

The governor and council to determine the number of representatives to which each town is entitled.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the

New apportionment to be made once in every ten years.

number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each city, town and representative district may elect as aforesaid; and when the number of representatives to be elected by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Inconsistent provisions annulled.

ART. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years.

122 Mass. 595.

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation. Provisions as to census superseded by amendments, Arts. XXI. and XXII. Senatorial districts declared permanent. Provisions as to senators superseded by amendments, Art. XXII.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

House of representatives, how apportioned. Provisions as to representatives superseded by amendments, Art. XXI.

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Small towns, how represented.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Towns may unite into representative districts.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every

tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

Basis of representation, and ratio of increase.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

The governor and council to apportion the number of representatives of each town once in every ten years.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Qualifications of councillors.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Freehold as a qualification for a seat in general court or council not required.

Elections by the people to be by plurality of votes.

ART. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Time of annual election of governor and legislature.

ART. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall

be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

ART. XVI. Eight councillors shall be annually chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafterwards, shall divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: *provided, however*, that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor. [Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first

Eight councillors to be chosen by the people. 122 Mass. 595, 598.

Legislature to district state.

Eligibility defined.

Day and manner of election, etc.

Vacancies, how filled. For new provision as to vacancies, see amendments, XXV.

Organization of the government.

Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice shall be by them declared and published; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers.

Election of secretary, treasurer, auditor, and attorney-general by the people.

ART. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen annually, on the day in November prescribed for the choice of governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of one year from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

Qualification requisite.

School moneys not to be applied for secta-

ART. XVIII. All moneys raised by taxation in the towns and cities for the support of public schools, and

all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.

ART. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, commissioners of insolvency, and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

ART. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided, however*, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

ART. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained

rian schools.
For original provision as to schools, see constitution, Part First, Art. III.
12 Allen, 500, 508.
103 Mass. 94, 96.

Legislature to prescribe for the election of sheriffs, registers of probate, etc., by the people.
8 Gray, 1.
13 Gray, 74.
110 Mass. 172, 173.
117 Mass. 602, 603.
121 Mass. 65.

Reading constitution in English and writing, necessary qualifications of voters.
Proviso.
For other qualifications, see amendments, Art. III.
See also amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

Census of legal voters and of inhabitants, when taken, etc.
See P. S. c. 31.

House of representatives to consist of 240 members.
Legislature to apportion, etc.
10 Gray, 613.

Secretary shall certify to officers authorized to divide counties.

Meeting for division to be first Tuesday in August. Proceedings.

Qualifications of representatives. 122 Mass. 595, 598.

Districts to be numbered, described and certified.

One hundred members a quorum.

by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. Not less than one hundred members of the house of representatives shall constitute a quorum for doing business: but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.

ART. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided, however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.

Census, etc.
Sec P. S. c. 31.

Voters to be
basis of appor-
tionment of
senators.

Senate to consist
of forty mem-
bers.

Senatorial
districts, etc.

See amend-
ments, Art.
XXIV.

Qualifications
of senators.

Sixteen mem-
bers a quorum.

ART. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

Residence of
two years re-
quired of natu-
ralized citizens,
to entitle to suf-
frage or make
eligible to office.
This article
annulled by
Art. XXVI.

ART. XXIV. Any vacancy in the senate shall be filled

Vacancies in the
senate.

by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

Vacancies in the council.

ART. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Twenty-third article of amendment annulled.

ART. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Officers of Harvard College may be elected members of general court.

ART. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Persons having served in the U. S. army or navy, etc., not to be disqualified from voting, etc.

ART. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of being a pauper; or, if a pauper, because of the non-payment of a poll-tax.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean time the constitution was submitted to the people, to be adopted by them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved*, "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolution." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted, April 9, 1821.

The tenth Article was adopted by the legislatures of the political years 1829-30, and 1830-31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840, and was repealed by the twenty-sixth Amendment.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859.

CONSTITUTION OF MASSACHUSETTS.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

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ACTS AND RESOLVES

OF

MASSACHUSETTS.

1882.

¶ The General Court of 1882 assembled on Wednesday, the fourth day of January. The oaths of office required by the Constitution to be administered to the Governor and Lieutenant-Governor elect were taken and subscribed by his Excellency JOHN D. LONG and his Honor BYRON WESTON, on Thursday, the fifth day of January, in the presence of the two Houses assembled in convention.

ACTS AND RESOLVES.

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE GOVERNMENT FOR THE PRESENT YEAR. *Chap. 1*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December, in the year one thousand eight hundred and eighty-two, to wit:—

Appropriations.

LEGISLATIVE DEPARTMENT.

For the salaries of the clerks of the senate and house of representatives, two thousand five hundred dollars each. Clerks of senate and house.

For the salaries of the assistant clerks of the senate and house of representatives, nine hundred dollars each. Assistant clerks.

For the salary of the sergeant-at-arms, two thousand five hundred dollars. Sergeant-at-arms.

For the salary of the engineer at the state house, one thousand four hundred dollars. Engineer.

For the salary of the watchman at the state house, eight hundred dollars. Watchman.

For the salaries of the four messengers to the sergeant-at-arms, known as "sergeant-at-arms' messengers," eleven hundred dollars each. Messengers.

For the salaries of the fireman at the state house, and fireman and janitor at number thirty-three Pemberton square, nine hundred dollars each. Firemen and janitor.

For the salary of the assistant fireman at the state house, two dollars and one-half per diem for each day employed. Assistant fireman.

EXECUTIVE DEPARTMENT.

- Lieutenant-governor and council. For the compensation of the lieutenant-governor, two thousand dollars, and for the executive council, six thousand four hundred dollars. For the travelling expenses of said council, a sum not exceeding five hundred dollars.
- Private secretary. For the salary of the private secretary of the governor, one thousand five hundred dollars.
- Executive clerk. For the salary of the executive clerk of the governor and council, one thousand two hundred dollars.
- Messenger. For the salary of the messenger of the governor and council, eight hundred dollars.

SECRETARY'S DEPARTMENT.

- Secretary. For the salary of the secretary of the Commonwealth, two thousand five hundred dollars.
- First clerk. For the salary of the first clerk in the secretary's department, one thousand eight hundred dollars.
- Second clerk. For the salary of the second clerk in the secretary's department, one thousand five hundred dollars.
- Third clerk. For the salary of the third clerk in the secretary's department, one thousand two hundred dollars.
- Messenger and clerks. For a messenger, and such additional clerical assistance as the secretary may find necessary, ten thousand dollars.

TREASURER'S DEPARTMENT.

- Treasurer. For the salary of the treasurer and receiver-general, four thousand dollars.
- First clerk. For the salary of the first clerk in the treasurer's department, two thousand three hundred dollars.
- Second clerk. For the salary of the second clerk in the treasurer's department, one thousand eight hundred dollars.
- Cashier. For the salary of the cashier in the treasurer's department, one thousand eight hundred dollars.
- Extra clerks. For the salaries of the two extra clerks in the treasurer's department, one thousand two hundred dollars each : and for such additional clerical assistance as the treasurer may need, a sum not exceeding three hundred dollars.

TAX COMMISSIONER'S BUREAU.

- Deputy tax commissioner. For the salary of the deputy tax commissioner, two thousand seven hundred and fifty dollars.
- First clerk. For the salary of the first clerk of the tax commissioner, one thousand eight hundred dollars.

For the salary of the second clerk of the tax commissioner, one thousand three hundred dollars. Second clerk.

For such additional clerical assistance as the tax commissioner and commissioner of corporations may find necessary, a sum not exceeding twelve thousand dollars. Additional clerks.

AUDITOR'S DEPARTMENT.

For the salary of the auditor of accounts, two thousand five hundred dollars. Auditor of accounts.

For the salary of the first clerk in the auditor's department, one thousand eight hundred dollars. First clerk.

For the salary of the second clerk in the auditor's department, one thousand five hundred dollars. Second clerk.

For the salaries of the two extra clerks in the auditor's department, one thousand two hundred dollars each; and for such additional clerical assistance as the auditor may find necessary, a sum not exceeding five hundred dollars. Extra clerks.

ATTORNEY-GENERAL'S DEPARTMENT.

For the salary of the attorney-general, four thousand dollars. Attorney-general.

For the salary of the assistant attorney-general, two thousand dollars. Assistant attorney-general.

COMMISSIONERS ET AL.

For the salaries of the commissioners on savings banks, five thousand six hundred dollars. Commissioners of savings banks.

For the salaries of the clerks of the commissioners on savings banks, one thousand six hundred dollars. Clerks.

For the salary of the insurance commissioner, three thousand dollars. Insurance commissioner.

For the salary of the deputy insurance commissioner, two thousand five hundred dollars. Deputy.

For the salary of the first clerk of the insurance commissioner, one thousand eight hundred dollars. First clerk.

For the salary of the second clerk of the insurance commissioner, one thousand five hundred dollars. Second clerk.

For the salary of one extra clerk of the insurance commissioner, one thousand dollars. Extra clerk.

For such additional clerical assistance as the insurance commissioner may find necessary, a sum not exceeding seven thousand dollars. Additional clerks.

For the salaries of the inspector and assistant inspector of gas-meters, three thousand two hundred dollars. Inspectors of gas-meters.

Secretary of commissioners of prisons.	For the salary of the secretary of the commissioners of prisons, two thousand dollars.
Clerk.	For the salary of the clerk of the commissioners of prisons, seven hundred dollars.
Railroad commissioners.	For the salaries of the railroad commissioners, eleven thousand dollars.
Clerk.	For the salary of the clerk of the railroad commissioners, two thousand dollars.
Accountant.	For the salary of the accountant of the railroad commissioners, two thousand dollars.
Assayer and inspector of liquors.	For the salary of the assayer and inspector of liquors, five hundred dollars.
Bureau of statistics of labor.	For the salary of the chief of the bureau of statistics of labor, two thousand five hundred dollars.
First clerk.	For the salary of the first clerk in the bureau of statistics of labor, one thousand five hundred dollars.
Additional clerks.	For the compensation of other clerical services, and for expenses of the bureau of statistics of labor, a sum not exceeding five thousand dollars.
Commissioners on state aid.	For the salary and expenses of the commissioners on state aid, a sum not exceeding three thousand five hundred dollars.
Inland fisheries.	For compensation and expenses of the commissioners on inland fisheries, a sum not exceeding five thousand five hundred dollars.
Harbor and land commissioners.	For salaries of the harbor and land commissioners, five thousand five hundred dollars.
Engineer, etc.	For compensation of the engineer and services of experts authorized by the harbor and land commissioners, a sum not exceeding three thousand three hundred dollars.
Expenses.	For travelling and other necessary expenses of the harbor and land commissioners, a sum not exceeding one thousand dollars.
Rent and incidental expenses.	For rent, incidental and contingent expenses of the harbor and land commissioners, a sum not exceeding one thousand seven hundred dollars.

AGRICULTURAL DEPARTMENT.

Secretary.	For the salary of the secretary of the board of agriculture, two thousand dollars.
Clerk.	For the salary of the clerk of the secretary of the board of agriculture, one thousand one hundred dollars.
Additional clerks and lecturers.	For compensation of other clerical services in the office of the secretary of the board of agriculture and for lectures before the board, a sum not exceeding four hundred dollars.

EDUCATIONAL DEPARTMENT.

For the salary and expenses of the secretary of the board of education, two thousand nine hundred dollars, to be paid out of the moiety of the income of the school fund applicable to educational purposes.

Board of education.
Secretary.

For the salary of the assistant librarian and clerk of the board of education, two thousand dollars.

Assistant
librarian.

For such additional clerical assistance in the state library as may be found necessary, a sum not exceeding one thousand eight hundred dollars.

Additional clerical
assistance.

MILITARY DEPARTMENT.

For the salary of the adjutant-general, two thousand five hundred dollars.

Adjutant-general.

For the salary of the first clerk in the adjutant-general's department, one thousand eight hundred dollars.

First clerk.

For the salary of the second clerk in the adjutant-general's department, one thousand six hundred dollars.

Second clerk.

For the salary of the additional clerk appointed under chapter one hundred and seventeen, acts of eighteen hundred and seventy-nine, one thousand six hundred dollars.

Additional
clerk.

For the salaries of two extra clerks in the adjutant-general's department, one thousand two hundred dollars each.

Extra clerks.

For the salary of the messenger in the adjutant-general's department, eight hundred dollars.

Messenger.

For such additional clerical assistance as the adjutant-general may find necessary, a sum not exceeding three thousand dollars.

Additional
clerks.

For compensation of employes at the state arsenal, a sum not exceeding two thousand five hundred dollars.

Employes at
arsenal.

SURGEON-GENERAL'S DEPARTMENT.

For the salary of the surgeon-general, one thousand two hundred dollars.

Surgeon-general.

MISCELLANEOUS.

For the purchase of books for the state library, two thousand three hundred dollars, to be expended under the direction of the trustees and librarian.

Books for
library.

SECTION 2. This act shall take effect upon its passage.

Approved January 19, 1882.

Chap. 2 AN ACT MAKING APPROPRIATIONS FOR THE MILEAGE AND COMPENSATION OF THE MEMBERS OF THE LEGISLATURE, FOR THE COMPENSATION OF OFFICERS THEREOF, AND FOR OTHER PURPOSES.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, for the purposes specified, to wit:—

Senators, compensation. For compensation of senators, twenty thousand five hundred dollars.

Representatives, compensation. For compensation of representatives, one hundred and twenty thousand five hundred dollars.

Senators, mileage. For mileage of senators, a sum not exceeding four hundred and fifty dollars.

Representatives, mileage. For mileage of representatives, a sum not exceeding two thousand five hundred dollars.

Preacher of election sermon. For the compensation of the preacher of the election sermon, fifty dollars.

Chaplains. For the compensation of the chaplains of the senate and house of representatives, six hundred dollars.

Doorkeepers, messengers and pages. For the compensation of the doorkeepers, messengers and pages of the senate and house of representatives, a sum not exceeding ten thousand dollars.

Witnesses before committees. For expenses of summoning witnesses before committees, and for fees for such witnesses, a sum not exceeding two hundred dollars.

Contingent expenses. For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, a sum not exceeding five thousand dollars.

Expenses of committees. For the authorized expenses of committees of the present legislature, to include clerical assistance to committees authorized to employ the same, a sum not exceeding five thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 19, 1882.

Chap. 3 AN ACT TO CHANGE THE NAME OF THE GOLD MEDAL SEWING MACHINE COMPANY.

Be it enacted, etc., as follows:

Name changed. SECTION 1. The Gold Medal Sewing Machine Company, a corporation established in Orange, under the general laws, shall be known as the New Home Sewing Machine Company.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1882.

AN ACT IN ADDITION TO “AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE GOVERNMENT DURING THE PRESENT YEAR.” *Chap. 4*

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, for the purposes specified, to meet expenses for the year ending December thirty-first, in the year one thousand eight hundred and eighty-two, to wit:—

Appropriations.

SUPREME JUDICIAL COURT.

For the salary of the clerk of the supreme judicial court, three thousand dollars. Clerk.

For the salary of the reporter of decisions of the supreme judicial court, three hundred dollars. Reporter.

For the expenses of the supreme judicial court, a sum not exceeding two thousand dollars. Expenses.

SUPERIOR COURT.

For the salary of the chief justice of the superior court, four thousand eight hundred dollars. Chief Justice.

For the salaries of the ten associate justices of the superior court, forty-five thousand dollars. Associate Justices.

COURTS OF PROBATE AND INSOLVENCY.

For the salary of the judge of probate and insolvency for the county of Suffolk, four thousand dollars. Judge—Suffolk.

For the salary of the judge of probate and insolvency for the county of Middlesex, two thousand five hundred dollars. Middlesex.

For the salary of the judge of probate and insolvency for the county of Worcester, two thousand five hundred dollars. Worcester.

For the salary of the judge of probate and insolvency for the county of Essex, two thousand five hundred dollars. Essex.

For the salary of the judge of probate and insolvency for the county of Norfolk, two thousand dollars. Norfolk.

For the salary of the judge of probate and insolvency for the county of Bristol, one thousand eight hundred dollars. Bristol.

For the salary of the judge of probate and insolvency for the county of Plymouth, one thousand five hundred dollars. Plymouth.

- Berkshire. For the salary of the judge of probate and insolvency for the county of Berkshire, one thousand two hundred dollars.
- Hampden. For the salary of the judge of probate and insolvency for the county of Hampden, two thousand dollars.
- Hampshire. For the salary of the judge of probate and insolvency for the county of Hampshire, one thousand four hundred dollars.
- Franklin. For the salary of the judge of probate and insolvency for the county of Franklin, one thousand four hundred dollars.
- Barnstable. For the salary of the judge of probate and insolvency for the county of Barnstable, one thousand dollars.
- Nantucket. For the salary of the judge of probate and insolvency for the county of Nantucket, five hundred dollars.
- Dukes County. For the salary of the judge of probate and insolvency for the county of Dukes County, five hundred dollars.
- Register — Suffolk. For the salary of the register of probate and insolvency for the county of Suffolk, three thousand dollars.
- Middlesex. For the salary of the register of probate and insolvency for the county of Middlesex, two thousand dollars.
- Worcester. For the salary of the register of probate and insolvency for the county of Worcester, two thousand dollars.
- Essex. For the salary of the register of probate and insolvency for the county of Essex, two thousand dollars.
- Norfolk. For the salary of the register of probate and insolvency for the county of Norfolk, one thousand five hundred dollars.
- Bristol. For the salary of the register of probate and insolvency for the county of Bristol, one thousand eight hundred dollars.
- Plymouth. For the salary of the register of probate and insolvency for the county of Plymouth, one thousand five hundred dollars.
- Hampden. For the salary of the register of probate and insolvency for the county of Hampden, one thousand six hundred dollars.
- Berkshire. For the salary of the register of probate and insolvency for the county of Berkshire, one thousand two hundred dollars.
- Hampshire. For the salary of the register of probate and insolvency for the county of Hampshire, one thousand four hundred dollars.
- Franklin. For the salary of the register of probate and insolvency for the county of Franklin, one thousand four hundred dollars.

For the salary of the register of probate and insolvency for the county of Barnstable, one thousand dollars.	Barnstable.
For the salary of the register of probate and insolvency for the county of Nantucket, six hundred dollars.	Nantucket.
For the salary of the register of probate and insolvency for the county of Dukes County, six hundred dollars.	Dukes County.
For the salary of the assistant register of probate and insolvency for the county of Suffolk, one thousand five hundred dollars.	Assistant register — Suffolk.
For the salary of the assistant register of probate and insolvency for the county of Middlesex, one thousand five hundred dollars.	Middlesex.
For the salary of the assistant register of probate and insolvency for the county of Worcester, one thousand five hundred dollars.	Worcester.
For the salary of the assistant register of probate and insolvency for the county of Essex, one thousand five hundred dollars.	Essex.
For the salary of the assistant register of probate and insolvency for the county of Norfolk, one thousand one hundred dollars.	Norfolk.
For the salary of the clerk to the register of probate and insolvency for the county of Suffolk, one thousand two hundred dollars.	Clerk in Suffolk.
For extra clerical assistance to the courts of probate and insolvency in the several counties of the Commonwealth, a sum not exceeding seven thousand two hundred dollars.	Extra clerks.
For expenses of the courts of insolvency, a sum not exceeding two thousand dollars.	Expenses.

DISTRICT-ATTORNEYS.

For the salary of the district-attorney for Suffolk district, four thousand five hundred dollars.	District-attorney — Suffolk.
For the salary of the first assistant district-attorney for Suffolk district, two thousand four hundred dollars.	First assistant.
For the salary of the second assistant district-attorney for Suffolk district, two thousand dollars.	Second assistant.
For the salary of the clerk for the district-attorney for the Suffolk district, one thousand dollars.	Clerk.
For the salary of the district-attorney for the northern district, two thousand four hundred dollars.	District-attorney — Northern district.
For the salary of the district-attorney for the eastern district, one thousand eight hundred dollars.	Eastern district.
For the salary of the district-attorney for the south-eastern district, one thousand eight hundred dollars.	South-eastern district.

Southern district.	For the salary of the district-attorney for the southern district, one thousand eight hundred dollars.
Middle district.	For the salary of the district-attorney for the middle district, one thousand eight hundred dollars.
Western district.	For the salary of the district-attorney for the western district, one thousand eight hundred dollars.
North-western district.	For the salary of the district-attorney for the north-western district, one thousand three hundred and fifty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1882.

Chap. 5 AN ACT MAKING APPROPRIATIONS FOR CERTAIN EDUCATIONAL EXPENSES.

Be it enacted, etc., as follows:

Appropriations.	SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, unless otherwise ordered, for the purposes specified, to wit:—
Normal schools.	For the support of normal schools, a sum not exceeding sixty thousand three hundred and twenty-five dollars, to be paid out of the moiety of the income of the school fund applicable to educational purposes.
Normal art school.	For the support of the state normal art school, the same to include rent, taxes, etc., a sum not exceeding seventeen thousand five hundred dollars, to be paid from the unappropriated balance of the moiety of the income of the school fund applicable to educational purposes, and the excess, if any, from the treasury.
Salaries of agents.	For the salaries and expenses of the agents of the board of education, a sum not exceeding five thousand four hundred dollars.
Incidental expenses.	For incidental expenses of the board of education and for the secretary thereof, a sum not exceeding one thousand two hundred dollars.
Teachers' institutes.	For teachers' institutes, a sum not exceeding two thousand dollars, to be paid out of the moiety of the income of the school fund applicable to educational purposes.
County teachers' associations.	For county teachers' associations, a sum not exceeding three hundred dollars, to be paid out of the moiety of the income of the school fund applicable to educational purposes.
Pupils in normal schools.	For aid to pupils in state normal schools, a sum not exceeding four thousand dollars, payable in semi-annual payments, to be expended under the direction of the board of education.

For travelling and other necessary expenses of the board of education, a sum not exceeding four hundred dollars.

Travelling expenses.

For the Massachusetts teachers' association, the sum of three hundred dollars, to be paid out of the moiety of the income of the school fund applicable to educational purposes, subject to the approval of the state board of education.

Teachers' associations.

For the Perkins institution and the Massachusetts school for the blind, the sum of thirty thousand dollars.

School for the blind.

For the contingent expenses of the state library, to be expended under the direction of the trustees and librarian, a sum not exceeding eight hundred dollars.

State library.

For the support of Massachusetts beneficiaries in asylums for the deaf and dumb, and in other institutions of the same character, a sum not exceeding forty thousand dollars.

Deaf and dumb.

The income of the Rogers book fund, of the Todd normal school fund, and of the agricultural fund, shall be expended in accordance with the provisions of the various acts relating thereto.

Income of certain funds.

SECTION 2. This act shall take effect upon its passage.

Approved February 1, 1882.

AN ACT TO CORRECT CERTAIN ERRORS IN AND TO AMEND THE PUBLIC STATUTES. *Chap. 6*

Whereas it appears that certain errors were made in the preparation of the Public Statutes for their final passage:
Therefore

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter four of the Public Statutes is hereby amended, in the fifty-ninth line, by inserting after the words "bureau of statistics" the words "of labor."

Errors in Public Statutes corrected.

SECTION 2. Section sixty-three of chapter one hundred and seventy-eight of the Public Statutes is hereby amended to read as follows:—

"SECTION 63. The partition, when finally confirmed and established, shall be conclusive on all the heirs and devisees of the deceased, and all persons claiming under them; and on all other persons interested in the premises who appeared and answered in the case, or assented in writing to the proposed partition, or upon whom notice of the petition was served personally or by publication as before provided, or who waived notice, or for whom an agent was appointed pursuant to the preceding section, and all per-

sons claiming under them; but all other persons may pursue their legal remedies for recovering the premises, or any part thereof, and for obtaining partition of the same, in like manner as if the proceedings in the probate court had not been had.”

SECTION 3. Section eighteen of chapter one hundred and eighty-five of the Public Statutes is hereby amended by striking out, in the fourth line, the words “except as provided in the following section.”

SECTION 4. Section forty-nine of chapter two hundred and twenty of the Public Statutes is hereby amended, in the third line, by striking out the word “respectfully,” and inserting in place thereof the word “respectively.”

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

Approved February 1, 1882.

Chap. 7

AN ACT TO AMEND “AN ACT TO AUTHORIZE THE CITY OF HAVERHILL TO ESTABLISH A HOSPITAL.”

Be it enacted, etc., as follows:

City may establish a hospital.

SECTION 1. Section two of chapter seventy-seven of the acts of the year one thousand eight hundred and eighty is hereby amended by striking out the word “nine,” and inserting in place thereof the word “seven;” and section three of said act is hereby amended by striking out the word “eight,” and inserting in place thereof the word “six.”

Subject to acceptance.

SECTION 2. This act shall take effect upon its acceptance by the city council of said city of Haverhill.

Approved February 3, 1882.

Chap. 8

AN ACT TO CHANGE THE NAME OF THE MERCANTILE MARINE INSURANCE COMPANY.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The name of the Mercantile Marine Insurance Company, a corporation established in Boston by an act approved the eleventh day of February in the year eighteen hundred and twenty-three, shall hereafter be the Mercantile Fire and Marine Insurance Company.

SECTION 2. This act shall take effect upon its passage.

Approved February 3, 1882.

Chap. 9

AN ACT TO CHANGE THE NAME OF THE EASTERN JUNCTION, BROAD SOUND PIER, AND POINT SHIRLEY RAILROAD COMPANY.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The Eastern Junction, Broad Sound Pier, and Point Shirley Railroad Company is hereby authorized,

at any time, by a majority vote of the stock represented at a meeting of the stockholders called for that purpose in accordance with the provisions of the by-laws relating thereto, to change its name to the Ocean Pier and Point of Pines Railroad Company.

SECTION 2. The authority granted under this act shall not in any other way affect or impair any of the rights, powers, privileges, franchises, duties, liabilities, obligations and restrictions already conferred and imposed upon said railroad corporation.

Rights and duties not impaired.

SECTION 3. This act shall take effect upon its passage.

Approved February 3, 1882.

AN ACT TO PROVIDE FOR LAYING OUT A PUBLIC PARK IN THE TOWN OF ABINGTON.

Chap. 10

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Abington may, at any legal meeting called for the purpose, elect three commissioners and prescribe their terms of office. Said commissioners shall constitute a board of park commissioners, and any vacancy occurring in said board shall be filled in such manner as the town may direct. Said commissioners shall receive such compensation as the town shall determine.

May elect park commissioners.

SECTION 2. Said board shall have power to locate within the limits of the town of Abington a public park; and for that purpose to take in fee by purchase or otherwise any such lands as said board may deem desirable therefor: *provided, however*, that no land shall be taken, or other thing involving an expenditure of money done, until an appropriation sufficient to cover the estimated expense thereof shall have been made by a two-thirds vote of the voters present and voting at a meeting legally held; and *provided, further*, that no taking of land otherwise than by purchase shall be valid unless it is reported to the town, filed, accepted and allowed, as provided by section seventy-one of chapter forty-nine of the Public Statutes in the case of laying out town ways.

Commissioners may locate park.

SECTION 3. Said board shall, within sixty days after the acceptance by the town of their report of the taking of land under this act, file in the registry of deeds for the county of Plymouth, a description thereof sufficiently accurate for identification.

To file in registry of deeds description of the land taken.

SECTION 4. Said board shall estimate and determine all damages sustained by any persons by the taking of land or other acts of said board in the execution of the powers

vested in them under this act; but any party aggrieved by any such determination of said board may have his damages assessed as in case of land taken for highways.

Fee of land to vest in town of Abington.

SECTION 5. The fee of all lands taken or purchased by said board under this act shall vest in the town of Abington, and said town shall be liable to pay all damages assessed or determined, as provided in the preceding section, and all other costs and expenses incurred by said board in the execution of the powers vested in them by this act. Said town shall also be authorized to take and hold in trust or otherwise any devise, grant, gift or bequest that may be made for the purpose of laying out, improving or ornamenting any parks in said town.

Street, etc., not to be laid out over park.

SECTION 6. No street or way, and no steam or horse railroad, shall be laid out over any portion of any park located under this act, except at such places and in such manner as said board shall approve.

Commissioners to report annually.

SECTION 7. Said board shall at the annual town meetings and at such other times as the town may direct, make report of its doings, including a detailed statement of all receipts, expenditures and liabilities.

Subject to acceptance by the voters.

SECTION 8. This act shall not take full effect unless accepted by a majority of the legal voters of said town of Abington, present and voting thereon, by ballot, and using the check list, at a meeting which shall be held during the present year. Said ballot shall be "yes," or "no," in answer to the question, "Shall an act passed by the legislature of the Commonwealth in the year eighteen hundred and eighty-two entitled 'An Act for laying out a public park in the town of Abington,' be accepted?" Such meeting shall be called, notified and warned in the same manner in which meetings for the election of town officers are called, notified and warned: and it shall be the duty of the selectmen and town clerk to certify, as soon as may be, to the secretary of the Commonwealth, the whole number of ballots cast in said town in favor of the acceptance of this act, and the whole number cast against said acceptance; and if it shall appear that a majority of the ballots have been cast in favor of acceptance, the said secretary shall forthwith issue and publish his certificate declaring this act to have been duly accepted.

When to take effect.

SECTION 9. So much of this act as authorizes and directs the submission of the question of its acceptance to the legal voters of the town of Abington, shall take effect upon its passage.

Approved February 4, 1882.

[Accepted March 6, 1882.]

AN ACT ALLOWING THE TOWN OF PLYMOUTH TO MAKE AN APPROPRIATION FOR CELEBRATING FOREFATHERS' DAY. *Chap. 11*

Be it enacted, etc., as follows :

SECTION 1. The town of Plymouth may annually, at its meeting in the month of March, appropriate for the expenses of celebrating forefathers' day a sum not exceeding five hundred dollars.

Town may raise money for celebration of forefathers' day.

SECTION 2. This act shall take effect upon its passage.

Approved February 4, 1882.

AN ACT TO AMEND "AN ACT TO INCORPORATE THE DEDHAM WATER COMPANY." *Chap. 12*

Be it enacted, etc., as follows :

SECTION 1. Section ten of chapter one hundred and thirty-eight of the acts of the year eighteen hundred and seventy-six is hereby amended so as to read as follows:—

The town of Dedham shall have the right at any time during the continuance of the charter granted to the Dedham Water Company to purchase the corporate property and all the rights and privileges of said company, at a price which may be mutually agreed upon between said corporation and the said town of Dedham; and the said corporation is authorized to make sale of the same to said town. In case said corporation and said town are unable to agree, then the compensation to be paid shall be determined by three commissioners to be appointed by the supreme judicial court, upon application of either party and notice to the other, whose award when accepted by the said court shall be binding upon both parties; and this authority to purchase said franchise and property is granted on condition that the same is assented to by said town by a two-thirds vote of the voters present and voting thereon at a legal meeting called for that purpose; the number of meetings called for that purpose in any one year not to exceed two.

Town may purchase corporate property and rights of Dedham Water Company.

Subject to acceptance by town.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1882.

AN ACT TO CHANGE THE NAME OF THE SANFORD STEAMSHIP COMPANY. *Chap. 13*

Be it enacted, etc., as follows :

SECTION 1. The name of the "Sanford Steamship Company," a corporation organized in the year eighteen hundred and seventy-five, under the provisions of chapter two hundred and twenty-four of the acts of the year eight-

Name changed.

teen hundred and seventy, is changed to the "Boston and Bangor Steamship Company."

SECTION 2. This act shall take effect upon its passage.

Approved February 9, 1882.

Chap. 14 AN ACT IN ADDITION TO THE ACTS TO SUPPLY THE TOWN OF CLINTON WITH PURE WATER.

Be it enacted, etc., as follows:

May take water of Wekepeke brook in Sterling.

SECTION 1. The town of Clinton for the purposes provided in chapter ninety-eight of the acts of the year eighteen hundred and seventy-six is hereby authorized to take and convey into and through said town the waters of "Wekepeke" brook, in the town of Sterling, or of any reservoir thereon, and the waters flowing into the same, and to take and hold any land, and build and maintain any structures necessary for that purpose.

Exercise of rights.

SECTION 2. The rights, powers and authority given by this act shall be exercised by the town of Clinton through the same officers as are authorized to exercise the rights, powers and authority given by the said ninety-eighth chapter, and the said town shall be entitled to all the rights and subject to all the duties and liabilities set forth in said chapter, to be enforced in the manner therein provided.

Clinton Water Loan not to exceed \$100,000.

SECTION 3. For the purpose of defraying all costs and expenses incident to the acts herein authorized, including the payment for land and water rights taken, the said town of Clinton shall have authority to borrow from time to time such sums of money, and to issue therefor notes, bonds, or scrip, signed by the treasurer and countersigned by the chairman of the selectmen, to be denominated the "Clinton Water Loan," as said town shall deem necessary, to an amount not exceeding one hundred thousand dollars, upon the same terms and conditions and with the same authority in regard to interest and the sale of said scrip and the payment of the principal thereof, and the appropriation and assessment of money for the payment of the principal and the interest on the moneys so borrowed, as are contained in the fourth section of said chapter ninety-eight of the acts of the year eighteen hundred and seventy-six.

No expenses to be incurred until act is accepted.

SECTION 4. This act shall take effect upon its passage; but nothing shall be done, nor any expenditure made, nor liability incurred under the same, except for preliminary surveys and estimates, unless this act shall first be accept-

ed by vote of two-thirds of the legal voters of said town present and voting thereon at a legal meeting called for that purpose within three years from the passage of this act; the number of meetings called for that purpose in any one year shall not exceed two.

Approved February 9, 1882.

AN ACT TO CONFIRM THE REORGANIZATION OF THE SECOND PARISH OF DEDHAM AS THE FIRST CONGREGATIONAL PARISH IN NORWOOD, AND TO DISSOLVE THE PROPRIETORS OF THE CONGREGATIONAL MEETING-HOUSE IN THE SECOND OR SOUTH PARISH IN DEDHAM.

Chap. 15

Be it enacted, etc., as follows:

SECTION 1. The reorganization of the Second or South Precinct or Parish of Dedham under the name of the First Congregational Parish in Norwood is hereby ratified and confirmed, and the rights, privileges and property of said Second or South Precinct or Parish of Dedham shall be and are hereby vested in said First Congregational Parish in Norwood.

Reorganization ratified and confirmed.

SECTION 2. The corporation styled the Proprietors of the Congregational Meeting-House in the Second or South Parish in Dedham, established by chapter twenty-four of the acts of the year eighteen hundred and twenty-nine, is hereby dissolved, and the rights, privileges and property of the Proprietors of the Congregational Meeting-House in the Second or South Parish in Dedham aforesaid shall be and are hereby vested in said First Congregational Parish in Norwood: *provided, nevertheless*, that any persons not named in this act who now own pews in said meeting-house shall continue to own their respective pews therein, subject to the general provisions of law applicable thereto.

Corporation dissolved.

SECTION 3. Any person claiming to be aggrieved by the provisions of this act may, at any time within six months after this act takes effect, apply by petition to the superior court for the county of Norfolk, and his damages, if any, shall be assessed and determined by and under the direction of said court, and shall be paid by said First Congregational Parish of Norwood.

Assessment of damages.

SECTION 4. This act shall take effect upon its acceptance by said First Congregational Parish of Norwood.

Subject to acceptance.

Approved February 9, 1882.

Chap. 16 AN ACT TO AUTHORIZE THE INHABITANTS OF QUINCY TO APPROPRIATE A PART OF THEIR ANCIENT BURIAL GROUND FOR THE PURPOSE OF ENLARGING THEIR TOWN HALL.

Be it enacted, etc., as follows:

May take part
of burial ground
to enlarge town
hall.

SECTION 1. In case the inhabitants of Quincy shall at an annual meeting determine that it has become necessary for them to enlarge their town hall, it shall be lawful for them to appropriate for that purpose so much of the ancient burial ground lying westward of their present town house as may be necessary to enable the same to be extended westerly for a distance not exceeding thirty feet in length: *provided*, that no tomb or burial lot in which are buried the remains of the dead shall be entered upon under the provisions of this act until the remains shall have been removed to some other cemetery without expense to the owner of such tomb or burial lot.

Damages.

SECTION 2. If damage is sustained by any person by reason of proceedings of the inhabitants of Quincy under this act, he shall be entitled to the remedies provided by law in the case of lands taken by towns for burial places.

Approved February 9, 1882.

Chap. 17 AN ACT MAKING APPROPRIATIONS FOR SUNDRY CHARITABLE EXPENSES.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, for the purposes specified herein, to wit:—

STATE BOARD OF HEALTH, LUNACY AND CHARITY.

Expenses of
board.

For travelling and other necessary expenses of the board of health, lunacy and charity, a sum not exceeding twelve hundred dollars.

DEPARTMENT OF HEALTH.

Health officer.

For the salary of the health officer in the department of health, two thousand five hundred dollars.

Clerical
assistance.

For such clerical assistance as the health officer may deem necessary in the department of health, a sum not exceeding one thousand dollars.

Expenses of
department.

For general work of the department of health, including chemical analyses, sanitary investigations and reports, and travelling expenses for inspections, a sum not exceeding five thousand dollars.

INSPECTOR OF CHARITIES.

For the salary of the inspector of charities, two thousand five hundred dollars. Inspector.

For such clerical assistance as the inspector of charities may deem necessary, a sum not exceeding four thousand five hundred dollars. Clerical assistance.

For incidental and contingent expenses in the department of the inspector, the same to include expenses incurred in the inspection of public institutions, a sum not exceeding one thousand dollars. Incidental and contingent expenses.

SUPERINTENDENT OF IN-DOOR POOR.

For the salary of the superintendent of in-door poor, two thousand five hundred dollars. Superintendent of in-door poor.

For the salary of the assistant to the superintendent of in-door poor, one thousand five hundred dollars.

For the salary of the assistant in the bureau of visitation, one thousand five hundred dollars. Bureau of visitation.

For such additional clerical assistance, including services of visitors, as the superintendent of in-door poor, with the approval of the board of health, lunacy and charity, may deem necessary, a sum not exceeding twelve thousand five hundred dollars. Clerical assistance.

For travelling and contingent expenses of the department of the superintendent of in-door poor, a sum not exceeding six thousand dollars. Travelling and contingent expenses.

SUPERINTENDENT OF OUT-DOOR POOR.

For the salary of the superintendent of out-door poor, two thousand five hundred dollars. Superintendent of out-door poor.

For the salary of the clerk of the superintendent of out-door poor, one thousand five hundred dollars. Clerk.

For such other clerical assistance, including visitors, as the superintendent of out-door poor, with the approval of the board of health, lunacy and charity, may deem necessary, a sum not exceeding ten thousand two hundred dollars. Additional clerical assistance.

For travelling, incidental and contingent expenses of the superintendent of out-door poor, a sum not exceeding twenty-eight hundred dollars. Incidental and contingent expenses.

MISCELLANEOUS CHARITABLE.

For the support and relief of state paupers in the lunatic hospitals and asylums of the Commonwealth, a sum not exceeding one hundred and eighteen thousand dollars. State paupers in lunatic hospitals.

Transportation to almshouse.	For transportation of state paupers to the state almshouse, six hundred dollars.
Transportation.	For transportation of state paupers, a sum not exceeding twelve thousand dollars.
Cases of settlement, bastardy, etc.	For expenses attending the management of cases of settlement and bastardy, and in connection with complaints of, or in behalf of, persons confined as lunatics, a sum not exceeding two thousand dollars.
Infant asylum.	For the re-imbusement of the Massachusetts Infant Asylum for the support of infants having no known settlement in the Commonwealth, a sum not exceeding fifteen thousand dollars.
Support of state paupers by towns.	For the support of state paupers by cities and towns, a sum not exceeding twenty-seven thousand dollars, which amount is made applicable for the payment of claims for the present and previous years.
Burial.	For the burial of state paupers by cities and towns, for the present and previous years, a sum not exceeding seven thousand dollars.
Temporary support by cities and towns.	For the temporary support of state paupers by cities and towns, for the present and previous years, a sum not exceeding eighteen thousand dollars; and if at any time it shall be found necessary a sum not exceeding one thousand dollars may be advanced on account of the support and transportation of outside foundlings and other state paupers: <i>provided</i> , a detailed report of such expenditures shall be rendered to the auditor of accounts whenever required.
Transportation of foundlings.	For the support and transportation of outside foundlings, a sum not exceeding eight thousand dollars.
Dangerous diseases.	For expenses incurred in connection with small pox, and other diseases dangerous to the public health, a sum not exceeding ten thousand dollars.
Indian paupers.	For support of Indian state paupers, a sum not exceeding five hundred dollars.
Idiotic and feeble-minded youth.	For the Massachusetts School for Idiotic and Feeble-minded Youth, a sum not exceeding seventeen thousand five hundred dollars.
Auxiliary visitors.	For travelling and necessary expenses of the auxiliary visitors of the board of health, lunacy and charity, a sum not exceeding twelve hundred dollars.
Johannot annuities.	For annuities due from the Commonwealth, incurred by the acceptance of the bequests of the late Martha Johannot, a sum not exceeding one thousand three hundred dollars.
Annuities.	For other annuities authorized by the legislature, a sum

not exceeding one thousand nine hundred and seventy-two dollars.

For pensions, a sum not exceeding six hundred and twenty dollars. Pensions.

For expenses incurred in connection with medical examinations and inquests, a sum not exceeding three thousand five hundred dollars. Medical examinations and inquests.

The sum of two thousand dollars is hereby appropriated for the temporary support of paupers, from which aid may be given by the board of health, lunacy and charity, in extraordinary cases of suffering, where the provisions made by existing laws are in their judgment insufficient. Temporary support of paupers.

GRATUITIES.

For a gratuity payable to the town of Westfield, authorized by the legislature, the sum of five thousand dollars. Gratuity to town of Westfield.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1882.

AN ACT IN FURTHER ADDITION TO "AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE GOVERNMENT DURING THE PRESENT YEAR."

Chap. 18

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated for the purposes specified, to be paid from the ordinary revenue, unless otherwise ordered, out of the treasury of the Commonwealth, to meet the current expenses of the year ending on the thirty-first day of December one thousand eight hundred and eighty-two, to wit:—

LEGISLATIVE AND EXECUTIVE DEPARTMENTS.

For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, a sum not exceeding twenty thousand dollars. Printing and binding ordered by legislature.

For stationery for the senate, purchased by the clerk of the senate, a sum not exceeding nine hundred dollars. Senate stationery.

For stationery for the house of representatives, purchased by the clerk of the house of representatives, a sum not exceeding sixteen hundred dollars. House stationery.

For books, stationery, printing and advertising ordered by the sergeant-at-arms for the legislature, a sum not exceeding eight hundred dollars. Sergeant-at-arms' stationery, etc.

For incidental and contingent expenses of the sergeant-at-arms, a sum not exceeding three hundred dollars. Incidental expenses.

Council printing and stationery.

For postage, printing and stationery for the executive council, a sum not exceeding five hundred dollars.

Contingent expenses of governor and council.

For the contingent expenses of the governor and council, a sum not exceeding one thousand five hundred dollars.

Contingent expenses of executive department.

For the contingent expenses of the executive department, as authorized by chapter two hundred and eight of the acts of the year eighteen hundred and seventy-nine, three thousand dollars.

Postage and printing.

For postage, printing and stationery of the executive department, a sum not exceeding eight hundred dollars.

STATE HOUSE EXPENSES.

State house fuel and lights.

For fuel and lights for the state house, a sum not exceeding four thousand dollars.

Repairs and furniture.

For repairs, improvements and furniture of the state house, a sum not exceeding five thousand dollars.

Expenses of house in Pemberton Square.

For rent, taxes and other expenses connected with house number thirty-three Pemberton Square, a sum not exceeding ten thousand dollars.

INCIDENTAL AND CONTINGENT EXPENSES.

Incidental expenses — Secretary.

For incidental expenses of the secretary's department, a sum not exceeding three thousand dollars.

Treasurer.

For incidental expenses of the treasurer's department, a sum not exceeding one thousand one hundred dollars.

Tax commissioner.

For incidental and contingent expenses of the tax commissioner's department, a sum not exceeding three thousand three hundred and fifty dollars.

Commissioner of corporations.

For incidental expenses of the commissioner of corporations, a sum not exceeding four hundred dollars.

Auditor.

For incidental expenses of the auditor's department, a sum not exceeding seven hundred dollars.

Insurance commissioner.

For incidental expenses of the insurance commissioner's department, a sum not exceeding three thousand dollars.

Railroad commissioners.

For compensation of experts, or other agents, for rent of office, and for incidental and contingent expenses of the railroad commissioners, a sum not exceeding two thousand eight hundred and seventy-five dollars.

Travelling and incidental expenses.

For travelling and incidental expenses of the commissioners on savings banks, the same to include expenses incurred in auditing the accounts of county officers, a sum not exceeding two thousand dollars.

Surgeon-general.

For the contingent expenses of the surgeon-general, a sum not exceeding five hundred dollars.

For the incidental expenses of the attorney-general's department, a sum not exceeding one thousand five hundred dollars; and for expenses of civil actions, a sum not exceeding three hundred dollars.

Attorney-general.

For travelling expenses of the inspector and assistant inspector of gas-meters, a sum not exceeding six hundred dollars; and for furnishing such additional apparatus as the inspectors of gas-meters may require, a sum not exceeding two hundred dollars.

Inspectors of gas-meters.

MILITARY DEPARTMENT.

For incidental expenses of the adjutant-general's department, a sum not exceeding three thousand dollars.

Adjutant-general.

For the compensation of officers and men of the volunteer militia for military duty, a sum not exceeding seventy thousand dollars.

Military duty.

For transportation of officers and men of the volunteer militia while on military duty, a sum not exceeding thirteen thousand dollars.

Transportation.

For rent of brigade and battalion headquarters and company armories, a sum not exceeding thirty-one thousand dollars.

Headquarters and armories.

For expenses of the bureau of the quartermaster-general, a sum not exceeding five thousand dollars.

Quartermaster-general.

For quartermasters' supplies, a sum not exceeding six thousand dollars.

Quartermasters' supplies.

For grading the camp-ground of the state at Framingham, a sum not exceeding five hundred dollars.

Grading camp-ground.

For military accounts, in connection with volunteer militia not otherwise provided for, a sum not exceeding four thousand dollars.

Military accounts.

For medical supplies for the use of the volunteer militia, a sum not exceeding five hundred dollars.

Medical supplies.

For payment of bounties due to Massachusetts volunteers, a sum not exceeding five hundred dollars.

Soldiers' bounties.

In resolve chapter eight of the year eighteen hundred and eighty, entitled "Resolve to amend chapter fifteen of the resolves of the year eighteen hundred and seventy-five, authorizing the publication of a list of Massachusetts officers, sailors and marines, who served in the navy in the late civil war," a sum not exceeding one thousand dollars.

List of sailors and marines.

Any sums of money received under the provisions of section eighty-six of chapter two hundred and sixty-five of the acts of the year eighteen hundred and seventy-eight, and from the sale of grass at the state camp-ground,

Proceeds of sale of grass at camp-ground.

may be expended by the quartermaster-general under the direction of the governor and council for the purchase of other military supplies, and for the care and improvement of said ground.

Re-imburse-
ment for state
and military
aid.

For the re-imbursement of cities and towns for money paid on account of state and military aid to Massachusetts volunteers and their families, a sum not exceeding four hundred and thirty-six thousand dollars; the same to be payable on or before the first day of December of the present year.

AGRICULTURAL.

Bounties to
societies.

For bounties to agricultural societies, a sum not exceeding sixteen thousand four hundred dollars.

Expenses of
board.

For travelling and necessary expenses of the members of the board of agriculture, a sum not exceeding one thousand five hundred dollars.

Travelling
expenses.

For travelling expenses of the secretary of the board of agriculture, and all postages and necessary expenses, a sum not exceeding five hundred dollars.

Incidental
expenses.

For incidental expenses of the board of agriculture, a sum not exceeding five hundred dollars.

Commercial
fertilizers.

The fees under section two of chapter two hundred and six of the acts of the year eighteen hundred and seventy-four, entitled "An Act concerning commercial fertilizers," are hereby appropriated to be used in accordance with the provisions of section five of the same act.

PRINTING, BINDING, ETC.

Printing and
binding public
documents.

For printing and binding the public series of documents, under the direction of the secretary of the Commonwealth, a sum not exceeding thirty-five thousand dollars.

Pamphlet
edition.

For printing the pamphlet edition of the acts and resolves of the present year, for distribution in the Commonwealth, a sum not exceeding thirty-three hundred dollars.

"Blue Book."

For printing and binding the "blue book" edition of the acts and resolves of the present year, with the governor's message and other matters in the usual form, a sum not exceeding three thousand dollars.

News-paper
publication.

For the newspaper publication of the general laws and all information intended for the public, a sum not exceeding five hundred dollars.

Assessors'
books, etc.

For assessors' books and registration blanks, a sum not exceeding one thousand five hundred dollars.

For preparation for publication and for the publication of the provincial statutes, a sum not exceeding five thousand dollars. Provincial statutes.

For term reports, a sum not exceeding sixteen hundred dollars.

MISCELLANEOUS.

For expenses incurred in the construction and repair of roads in the town of Mashpee during the year one thousand eight hundred and eighty-one, three hundred dollars. Roads in Mashpee.

To the sheriffs of the different counties, for distributing proclamations, blanks, and making return of votes, a sum not exceeding five hundred dollars. Sheriffs.

For weights, measures, balances, and reports for sundry newly incorporated towns, a sum not exceeding one thousand two hundred dollars. Weights and measures.

For postage, printing, and other necessary expenses in carrying out the provisions of the state and military aid laws, a sum not exceeding five hundred dollars. State and military aid.

For editing the registration report under the direction of the secretary of the Commonwealth, a sum not exceeding five hundred dollars. Registration report.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1882.

AN ACT TO AUTHORIZE THE OLD COLONY RAILROAD COMPANY TO TAKE LAND IN BRAINTREE AND IN BOSTON. Chap. 19

Be it enacted, etc., as follows :

SECTION 1. The Old Colony Railroad Company may take so much land in the town of Braintree southerly of the South Shore Branch and easterly of its main line as its directors may deem necessary to make and maintain a convenient connection of tracks between said main line and said South Shore Branch; and may also take such land adjoining its railroad in South Boston as its directors may deem necessary (but not exceeding twenty-five feet in width at any point in addition to its present road bed), for raising its railroad over the proposed extension of D Street in South Boston; and may also temporarily take, for a period not exceeding ten months, for the purpose of changing its tracks during the time the work of raising its railroad is going on, so much land as may be necessary to construct and maintain a railroad with two tracks westerly of its present road bed for the whole or any part of the distance between Dorchester Street and Dorchester Avenue in said South Boston, and may construct, maintain and May take land in Braintree and Boston.

operate a railroad thereon for the said period of ten months. Locations, in the form provided by law, of the land taken hereunder shall be filed within one year, and of the land the temporary use of which is taken for tracks shall be filed within three months from the passage of this act.

Powers and duties.

SECTION 2. In the exercise of the powers granted by this act said Old Colony Railroad Company and any person or corporation who shall sustain any damage in their property shall have all the rights, privileges and remedies, and be subject to all the duties, liabilities and restrictions provided by the general laws of the Commonwealth in the like case.

SECTION 3. This act shall take effect upon its passage.

Approved February 14, 1882.

Chap. 20 AN ACT TO AUTHORIZE THE NATIONAL TUBE WORKS COMPANY TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows :

May increase capital stock.

SECTION 1. The National Tube Works Company, a corporation established in Boston under the general laws of this Commonwealth, is hereby authorized to increase its capital stock to an amount not exceeding two million dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 14, 1882.

Chap. 21 AN ACT MAKING APPROPRIATIONS FOR EXPENSES OF THE VARIOUS CHARITABLE AND REFORMATORY INSTITUTIONS, AND FOR OTHER PURPOSES.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, for the purpose of meeting the current expenses of the institutions hereinafter named, and for other purposes, during the year eighteen hundred and eighty-two, to wit :—

Salaries. State almshouse.

For the payment of salaries at the state almshouse at Tewksbury, a sum not exceeding twenty thousand dollars; and for other current expenses at said institution, a sum not exceeding seventy-three thousand dollars.

State primary school.

For the payment of salaries at the state primary school at Monson, a sum not exceeding seventeen thousand dollars; and for other current expenses of said institution, a sum not exceeding thirty-five thousand dollars.

For the payment of salaries at the state prison at Concord, a sum not exceeding fifty-two thousand dollars; and for other current expenses of said institution, a sum not exceeding eighty-two thousand three hundred dollars.	State prison.
For the payment of salaries at the reformatory prison for women, a sum not exceeding twenty-three thousand dollars; and for other current expenses of said institution, a sum not exceeding forty-seven thousand two hundred dollars.	Prison for women.
For the payment of salaries at the state reform school for boys, a sum not exceeding fifteen thousand dollars; and for other current expenses of said institution, a sum not exceeding fifteen thousand dollars.	Reform school.
For the payment of salaries at the state industrial school for girls, a sum not exceeding five thousand six hundred dollars; and for other current expenses of said institution, a sum not exceeding nine thousand dollars.	Industrial school.
For the payment of salaries at the state workhouse at Bridgewater, a sum not exceeding eleven thousand dollars; and for other current expenses of said institution, a sum not exceeding twenty-nine thousand dollars.	State workhouse.
For the contingent expenses of the commissioners of prisons, a sum not exceeding eight hundred dollars, the same to include printing blanks and binding.	Expenses of Commissioners of prisons.
For the travelling expenses of the commissioners of prisons, and the secretary thereof, a sum not exceeding eight hundred dollars.	
For the payment of the cost of supporting prisoners removed from the reformatory prison for women, a sum not exceeding five hundred dollars.	Support of prisoners, etc.
For expenses incurred in removing prisoners from the reformatory prison for women, a sum not exceeding two hundred dollars.	Removing prisoners.
For the salary of the agent for aiding discharged female prisoners, seven hundred dollars; and for expenses of said agent, a sum not exceeding two thousand three hundred dollars.	Discharged female prisoners.
For the salary of the agent for aiding discharged convicts, one thousand dollars; and for the expenses of said agent, a sum not exceeding three thousand dollars.	Discharged convicts.
For expenses incurred in the arrest of fugitives from justice, a sum not exceeding two thousand dollars.	Arrest of fugitives.
For the salary of the chief of the district police force, a sum not exceeding one thousand seven hundred dollars; for the compensation of the district police force, a sum not exceeding eighteen thousand dollars; for travelling ex-	District police.

penses actually paid by members of said force, a sum not exceeding nine thousand dollars; and for incidental and contingent expenses, a sum not exceeding two thousand dollars.

Expenses of trustees.

For travelling and other necessary expenses of the trustees of the state primary, reform and industrial schools, a sum not exceeding one thousand two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1882.

Chap 22 AN ACT MAKING ADDITIONAL APPROPRIATIONS FOR CERTAIN EXPENSES AUTHORIZED IN THE YEAR EIGHTEEN HUNDRED AND EIGHTY-ONE.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, for the purposes specified herein, to wit:—

Printing, etc., pamphlet edition of laws.

For printing and binding the pamphlet edition of the general laws enacted at the extra session, one hundred and nine dollars and eight cents.

Trustees.

For travelling and other expenses of the trustees of the state primary, reform and industrial schools, seventy-nine dollars and eighty-four cents.

Inspector of gas-meters.

For travelling and other expenses of the inspector of gas-meters, one hundred and thirty-two dollars and sixty-eight cents.

Medical examinations and inquests.

For expenses incurred in medical examinations and inquests, seven hundred and nine dollars and forty cents.

Provincial laws.

For the preparation for publication, and for the publication of the provincial laws, seven hundred and eighty-three dollars and forty-six cents.

State reform school.

For current expenses at the state reform school for boys, two thousand three hundred and ninety-seven dollars and eighty-two cents.

State prison.

For payment of salaries at the state prison at Concord, one hundred and ninety-six dollars and forty-six cents; and for other expenses at said institution, six thousand eight hundred and sixty-six dollars and forty-two cents.

State alms house.

For the payment of current expenses at the state alms-house at Tewksbury, nine thousand nine hundred and ninety-four dollars and thirty-seven cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1882.

AN ACT TO INCORPORATE THE WHEELWRIGHT SCIENTIFIC SCHOOL. *Chap. 23*

Be it enacted, etc., as follows:

SECTION 1. Robert Codman, Eben F. Stone, Charles G. Wood, William B. Atkinson, and the mayor of the city of Newburyport for the time being, their associates and successors, are hereby made a corporation by the name of the Wheelwright Scientific School, for the purpose of establishing a scientific school in said Newburyport, or assisting young men of that city as provided in the will of William Wheelwright, deceased, to obtain a scientific education; with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or may hereafter be in force and applicable to such corporations.

SECTION 2. The said corporation shall have authority to receive, hold and manage the fund bequeathed for the purposes for which the said corporation is created by the will of William Wheelwright, late of Newburyport, deceased, and any other donations or bequests which may be made for its benefit, and may hold for the purposes aforesaid real and personal estate to an amount not exceeding three hundred thousand dollars.

SECTION 3. The officers of said corporation shall consist of the trustees under said will, one of whom shall be president; also a treasurer and a secretary, who may or may not be members of said board of trustees. Whenever a trustee shall die or resign or become incompetent to discharge the duties of his trust, a successor shall be elected by ballot by the remaining trustees; but no person so elected shall have any authority to act as trustee until approved as such by the judge of probate for the county of Essex.

SECTION 4. The said institution shall be established in said Newburyport, and shall be conducted and managed in accordance with the provisions of the will of said William Wheelwright. It shall as often as once in three years, and oftener when thereto requested, render to the probate court for the county of Essex and also to the city of Newburyport an account of all receipts and disbursements of the said trust fund.

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

Approved February 18, 1882.

Corporators.

Name and purpose.

Powers and duties.

May hold and manage fund.

Officers of the corporation to consist of trustees under the will.

To be established in Newburyport.

Chap. 24 AN ACT TO AUTHORIZE THE DISCONTINUANCE OF A DRAW IN THE BRIDGE OVER BLUE RIVER, IN THE TOWN OF DUXBURY.

Be it enacted, etc., as follows:

May discontinue draw in bridge.

SECTION 1. The town of Duxbury is hereby authorized to discontinue the draw in the bridge over Blue River in said town.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1882.

Chap. 25 AN ACT TO INCORPORATE THE PINE GROVE CEMETERY ASSOCIATION, IN THE TOWN OF SHEFFIELD.

Be it enacted, etc., as follows:

Corporators.

SECTION 1. Albert W. Curtiss, Leonard Tuttle, Abner Roys, S. Hopkins Bushnell, Luella D. Smith, Herbert C. Joyner, their associates and successors are hereby made a corporation by the name of the Pine Grove Cemetery Association, for the purpose of establishing and maintaining a place for the burial of the dead, to be located in the town of Sheffield in the county of Berkshire, and shall have all the powers and privileges and be subject to all the duties, liabilities and restrictions of the statutes applicable to similar corporations.

Name and purpose.

Powers and duties.

Real and personal estate.

SECTION 2. Said corporation may hold real and personal estate for the purpose aforesaid, not exceeding in amount the sum of five thousand dollars.

SECTION 3. This act shall take effect upon its passage.

Approved February 18, 1882.

Chap. 26 AN ACT TO AUTHORIZE THE TOWN OF WINCHESTER TO ISSUE ADDITIONAL WATER BONDS.

Be it enacted, etc., as follows:

May issue additional water bonds.

SECTION 1. The town of Winchester is hereby granted the right, from time to time, to issue notes or bonds to an amount not exceeding one hundred thousand dollars, in addition to that authorized by chapter two hundred and sixty-five of the acts of the year eighteen hundred and seventy-two, and subject to the conditions therein contained, for the purpose of supplying said town with pure water. The same shall be denominated on their face "Winchester Water Fund Bonds," and be payable at periods not more than thirty years from their respective dates.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1882.

AN ACT TO INCORPORATE THE GUARANTEE ASSURANCE COMPANY *Chap. 27*
OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. William H. Goodwin, Frank Goodwin, Henry P. Coffin, Nathaniel J. Bradlee, A. Davis Weld, junior, William H. Hill, Ezra Farnsworth, J. Gardner White, William I. Parker and Samuel Batchelder, junior, their associates and successors, are made a corporation by the name of the Guarantee Assurance Company of Boston, for the purposes hereinafter set forth; to have its place of business in the city of Boston, and to be subject to the provisions of all general laws which now are or hereafter may be in force in relation to like corporations.

SECTION 2. The capital stock of said company shall be two hundred thousand dollars, and may be increased to one million of dollars by a vote of the stockholders, and shall be invested in the same kind of securities in which savings banks are required to invest.

SECTION 3. The said company is hereby authorized and empowered to act within the limits of this Commonwealth, and under the jurisdiction of the courts thereof, as surety upon the official bond of any person to the United States or to any official thereof, to the State of Massachusetts or to any official thereof, to any county, city or town, or to any officials thereof, to any judge of probate or other court or magistrate, to any corporation or association, public or private, and upon a bond to any person or persons conditioned upon the performance of any trust. Also, upon bonds to indemnify against loss any person or persons who are responsible as surety or sureties, upon a written instrument or otherwise, for the faithful performance by others of any trust, office or duty. And in any case where, by law or otherwise, two sureties are required upon any obligation which this company is hereby authorized to assure, this company may act as sole surety, if so accepted and approved by the court or magistrate named as the obligee in the bond. The judge of probate may allow the premium to be charged as an item in the final account.

SECTION 4. The amount of the responsibility incurred by said company in behalf of any one person, partnership or company shall not exceed the amount of ten per centum upon its paid-in capital; and in the case of bonds of trustees and guardians filed in any probate court of this Commonwealth shall not exceed on any one bond five per

centum of the net assets of the company; nor in the case of bonds by executors or administrators shall it exceed the sum of fifteen thousand dollars upon any one bond.

Dividends.

SECTION 5. After deducting from the earnings of the company (no part of the premiums received on risks not terminated being considered earnings), and from the income of its invested funds, such an amount as shall have been required for the costs of management, and for such dividends not exceeding ten per centum per annum on the capital stock as the directors may determine upon, the residue shall be annually set apart for the purpose of

Reserved fund.

constituting a reserved fund for the payment of losses, until the said reserved fund shall equal one-half the amount of the capital stock paid in; and, in case the reserved fund shall ever be impaired, it shall be made up to the full amount in the manner originally provided; and the said capital stock shall in no case be impaired or diminished until said reserved fund shall have been exhausted: *pro-*

Proviso.

vided, that whenever the said reserved fund shall equal one-half the amount of the capital stock paid in, the earnings of the company over and above the aforesaid dividend of ten per centum per annum, and the contributions required to keep the said reserved fund entire, may thereafter be divided among the stockholders *pro rata* in certificate of such portions of its actual surplus as the company may from time to time determine, which shall be deemed to be an increase of its capital stock to the extent of such new certificates so issued; but no such dividend shall be made except from actual surplus funds of the company, such surplus to be computed in the manner herein set forth; and *provided*, also, that in closing up the affairs of said company, the amount then standing to the credit of said reserved fund shall be divided among the stockholders in proportion to their respective shares.

Proviso.

What may be considered earnings.

SECTION 6. At the end of each and every second year from the date of every probate risk undertaken by said company, one-third part of the premium received therefor may be considered and treated as earnings, or the whole premium upon such risks may be considered and treated as earnings upon the allowance of the final account by the court.

Taxation.

SECTION 7. For purposes of taxation, said corporation shall be embraced in the provisions of section thirty-eight of chapter thirteen of the Public Statutes. Said corporation shall also be subject to all general provisions of law applicable to insurance companies having a specific capital.

SECTION 8. The said company shall publish within ten days from the first day of January, April, July and October in each year, in two or more newspapers published in the city of Boston, a statement of its assets and liabilities sworn to by one of its officers.

Statement of assets and liabilities to be published.

SECTION 9. The books and investments of said company shall be open to the inspection of the insurance commissioner and of the tax commissioner of the Commonwealth; also to the inspection of the stockholders, subject to such limitations as may be prescribed by the by-laws of the company. Every stockholder shall be furnished with a copy of the charter and by-laws of the company.

Books, etc., to be open to inspection of stockholders, etc.

SECTION 10. This act shall take effect upon the first day of June, A.D. eighteen hundred and eighty-two.

Approved February 21, 1882.

AN ACT CONCERNING THE CORRECTION OF ERRORS IN COPIES OF RECORDS OF VOTES, AND THE PUBLICITY OF ELECTION RETURNS.

Chap. 28

Be it enacted, etc., as follows:

SECTION 1. If, upon examination of the copies of the records of votes as required by the forty-fifth section of the seventh chapter of the Public Statutes, it shall appear to the governor and council that any such copy is incomplete or erroneous, they may order a new copy of the record to be made and transmitted in the manner provided for making and transmitting the original return. Said new copy shall be returned by the clerk of the city or town within seven days after the date of the order requiring the same to be made, and if adjudged to be correct and in conformity to the requirements of law shall thereupon have the same force and effect as an original return correctly made and transmitted.

If returns are incomplete, etc., new copies may be ordered by governor and council.

SECTION 2. Any city or town officer wilfully neglecting or refusing to perform the duties required of him under the preceding section shall be liable to the penalty provided in the sixty-fifth section of the seventh chapter of the Public Statutes.

Penalty on officer for neglect.

SECTION 3. Upon the completion of the examination of the copies of the records of votes by the governor and council, and the determination of the persons severally appearing to be elected in accordance therewith, the secretary of the Commonwealth shall furnish to every daily newspaper in the Commonwealth, and to at least one newspaper in every county where no daily newspaper is published, if such paper shall apply for the same, an abstract of the returns of votes and a statement of all cases where

Publication in the newspapers.

corrected returns have been received, showing the variations, if any, from the first return received. All copies of records of votes, whether original or corrected, shall be placed and remain on file in the office of the secretary of the Commonwealth, and be there open to inspection by any interested person who may apply therefor.

Copies of records to be placed on file.

SECTION 4. This act shall take effect upon its passage.

Approved February 21, 1882.

Chap. 29 AN ACT TO AMEND SECTION EIGHTEEN OF CHAPTER FIVE OF THE PUBLIC STATUTES, RELATIVE TO CLERICAL ASSISTANCE IN THE STATE LIBRARY.

Be it enacted, etc., as follows:

SECTION 1. Section eighteen of chapter five of the Public Statutes is hereby amended by striking out the words "eighteen hundred," and inserting instead thereof the words "two thousand."

Allowance for clerical assistance.

SECTION 2. This act shall take effect upon its passage.

Approved February 21, 1882.

Chap. 30 AN ACT TO INCREASE THE PRISON AND HOSPITAL LOAN SINKING FUND.

Be it enacted, etc., as follows:

SECTION 1. Until the state prison at Charlestown, with the lands and property connected therewith, shall have been sold in accordance with the provisions of section three of chapter three hundred and ninety-one of the acts of the year eighteen hundred and seventy-four, and until the old hospital estate in Worcester shall have been sold in accordance with the provisions of section three of chapter one hundred and sixty of the acts of the year eighteen hundred and seventy-five, the treasurer and receiver-general is hereby directed to pay into the prison and hospital loan sinking fund, annually, all rents and other income that may be received from said prison, lands and property, and from said old hospital estate in Worcester; and said rents and income shall constitute a part of said sinking fund and shall be invested and used for the purposes for which said fund was established.

Application of proceeds of sale of state prison lands in Charlestown, and old hospital estate in Worcester.

SECTION 2. This act shall take effect upon its passage.

Approved February 21, 1882.

AN ACT RELATIVE TO THE BRIDGE OVER THE MONATIQUOT RIVER *Chap.* 31
IN THE TOWN OF BRAINTREE.

Be it enacted, etc., as follows:

The town of Braintree is hereby directed to rebuild the bridge over the Monatiquot River in said town within three years from the passage of this act, with a draw therein not less than thirty-six feet wide; the plans for such bridge and the rebuilding thereof with all its attachments to be first approved by the board of harbor and land commissioners. *Approved February 21, 1882.*

Town to rebuild bridge over Monatiquot River.

AN ACT IN ADDITION TO "AN ACT TO ESTABLISH THE SOUTH COVE CORPORATION." *Chap.* 32

Be it enacted, etc., as follows:

The limitation now existing to the duration of the charter of the South Cove Corporation under chapter seventeen of the acts of the year eighteen hundred and thirty-three and chapter two hundred and twenty-three of the acts of the year eighteen hundred and seventy-two is hereby repealed and annulled; but said corporation shall be and remain subject to the same duties, liabilities and restrictions as are provided by general laws applicable to such corporations. *Approved February 21, 1882.*

Charter extended.

AN ACT TO AUTHORIZE THE ESSEX INSTITUTE TO HOLD ADDITIONAL PERSONAL ESTATE. *Chap.* 33

Be it enacted, etc., as follows:

SECTION 1. The Essex Institute, incorporated by chapter five of the acts of the year eighteen hundred and forty-eight, is hereby authorized to hold personal estate, exclusive of the books, papers and articles in the cabinets of said corporation, to an amount not exceeding one hundred thousand dollars.

May hold additional personal estate.

SECTION 2. This act shall take effect upon its passage. *Approved February 24, 1882.*

AN ACT TO INCORPORATE THE WARREN SAVINGS BANK, IN THE TOWN OF WARREN. *Chap.* 34

Be it enacted, etc., as follows:

SECTION 1. John W. Chadsey, William B. Ramsdell, E. F. Strickland, L. M. Gilbert, J. D. Rood, C. B. Elwell, E. J. Buck, J. E. Moore, E. Fairbanks, Seth Wetherbee, Job Owen, B. A. Tripp, Samuel E. Blair, Joseph B. Lombard, E. C. Sawyer, Cutler Moore, John B. Gould, John

Corporators.

Name and purpose. Powers and duties.

M. Drake, their associates and successors, are hereby made a corporation by the name of the Warren Savings Bank, to be located in the town of Warren; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in the general laws which now are or may hereafter be in force relating to savings banks and institutions for savings.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1882.

Chap. 35 AN ACT TO AUTHORIZE THE HOUSATONIC AGRICULTURAL SOCIETY TO HOLD ADDITIONAL REAL ESTATE.

Be it enacted, etc., as follows:

May hold additional real estate.

SECTION 1. The Housatonic Agricultural Society, incorporated under chapter one hundred and one of the acts of the year eighteen hundred and forty-eight, is hereby authorized to hold and manage real estate not exceeding in value thirty thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 24, 1882.

Chap. 36 AN ACT RELATIVE TO NOTICES IN CASES OF INJURIES RECEIVED ON HIGHWAYS.

Be it enacted, etc., as follows:

Notices in cases of injuries on highways.

Section nineteen of chapter fifty-two of the Public Statutes is hereby amended by adding thereto the following words, viz.: — But no notice given under the provisions of this section shall be deemed to be invalid or insufficient solely by reason of any inaccuracy in stating the time, place, or cause of the injury: *provided*, that it is shown that there was no intention to mislead, and that the party entitled to notice was not in fact misled thereby.

Approved February 24, 1882.

Chap. 37 AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN THE TOWNS OF CHILMARK AND TISBURY.

Be it enacted, etc., as follows:

Boundary line established between Chilmark and Tisbury.

SECTION 1. The boundary line between the towns of Chilmark and Tisbury, in accordance with the report of the commissioners appointed under chapter twenty-two of the resolves of the year eighteen hundred and eighty-one, is hereby fixed and established as follows: —

Beginning at a copper bolt in a rock lying in the wash of the Vineyard Sound and marked with the letters C and T cut thereon; thence running south-easterly in a straight

line to a stone monument, marked as aforesaid, standing on the ridge of a hill in land of John Davis, north-easterly of the house of the late Captain William Ferguson, now occupied by Captain Francis O. Rotch; thence running south-easterly in a straight line to the centre of a rock on or near the top of a hill known as the Great Rock; thence running south-easterly in a straight line to a stone monument, marked as aforesaid, standing in the field of John Davis, formerly known as Case's field; thence running south-easterly in a straight line to a stone monument, marked as aforesaid, standing at or near Nab's Corner on the northerly side of the south road leading from Tisbury into Chilmark, formerly known as the schoolhouse path; thence running north-easterly by the northerly side or line of said road to a stone monument, marked as aforesaid, standing on the northerly side of said road about eleven feet south-westerly from the middle line of Tyasquan Brook; thence running south-easterly across said road by a course parallel to the middle line of said brook to a stone monument, marked as aforesaid, standing on the southerly side of said road about eleven feet south-westerly from the middle line of said brook; thence running north-easterly by the southerly side or line of said road to the middle line of said brook; thence running south-easterly by the thread of the stream of said Tyasquan Brook to the pond called Great Tisbury Pond; thence running due east from the mouth of said brook to the middle line of said pond; then turning southerly and following the courses and curves of said middle line of the pond (meaning thereby a line drawn midway between its east and west shores at natural low-water mark, so as to divide said pond as nearly as may be into two equal parts, disregarding the coves and creeks of water connected therewith), to the beach or bluff on the south side of said pond at a point midway between the south-east and south-west corners thereof; thence running due south across said beach or bluff to the sea. The town of Chilmark shall embrace all the territory of the island of Martha's Vineyard between said boundary line and the town of Gay Head on the west, including also the island called No Man's Land; and the town of Tisbury shall embrace all the territory of said island of Martha's Vineyard between said boundary line and the towns of Edgartown and Cottage City on the east.

SECTION 2. The towns of Chilmark and Tisbury shall each receive one-half of the rental hereafter payable under the lease of said Great Pond.

Rental of
Great Pond.

Approved February 27, 1882.

Chap. 38 AN ACT TO CHANGE THE NAME OF THE NORTH BRIDGEWATER GAS LIGHT COMPANY.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The corporate name of the North Bridgewater Gas Light Company, organized under the general laws of the Commonwealth, is hereby changed to the Brockton Gas Light Company.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1882.

Chap. 39 AN ACT TO EXTEND THE CHARTER OF THE COMMERCIAL WHARF COMPANY.

Be it enacted, etc., as follows:

Charter extended.

SECTION 1. The limitation now existing to the duration of the charter of the Commercial Wharf Company under chapter fifty-one of the acts of the year eighteen hundred and thirty-two is hereby repealed and annulled; but said corporation shall be and remain subject to the same duties, liabilities and restrictions as are provided by general laws applicable to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1882.

Chap. 40 AN ACT TO AUTHORIZE THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF LYNN TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

May hold additional real and personal estate.

SECTION 1. The Young Men's Christian Association of Lynn, incorporated under chapter one hundred and forty-two of the acts of the year eighteen hundred and seventy, is hereby authorized to hold real and personal estate to an amount not exceeding two hundred thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1882.

Chap. 41 AN ACT CONCERNING THE APPOINTMENT OF AN ADDITIONAL ASSOCIATE JUSTICE FOR THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Additional associate justice to be appointed.

SECTION 1. There shall be appointed in the manner provided by the constitution one additional associate justice of the municipal court of the city of Boston, so that there shall be one chief justice and three associate justices thereof.

Salaries.

SECTION 2. The salaries of said chief justice and three associate justices shall be three thousand dollars each per year, the same to be paid as now provided by law.

SECTION 3. This act shall take effect upon its passage.

Approved February 28, 1882.

AN ACT RELATIVE TO THE APPOINTMENT OF SEALERS OF WEIGHTS
AND MEASURES IN CITIES.

Chap. 42

Be it enacted, etc., as follows :

SECTION 1. Section eight of chapter sixty-five of the Public Statutes is hereby amended by striking out the words "city council," in the first line, and inserting in their place the words "mayor and aldermen."

Sealers to be appointed by mayor and aldermen.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1882.

AN ACT RELATING TO THE DEATH, RESIGNATION, ABSENCE OR
DISABILITY OF THE JUSTICES OF CERTAIN MUNICIPAL COURTS
IN THE CITY OF BOSTON.

Chap. 43

Be it enacted, etc., as follows :

SECTION 1. Section forty-two of chapter one hundred and fifty-four of the Public Statutes is hereby amended by adding at the end thereof the following words: "In case of the death, resignation, absence or disability of all the justices of either of the said municipal courts (except the municipal court of the city of Boston), the duties of justice of such court may at the request of the clerk thereof, or, if there is no clerk, at the request of the constable or other officer in attendance thereon, be performed for the time being by the justice or by a special justice of either of the other of said municipal courts."

In case of death, etc., of justice, duties to be performed by justice of another court.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1882.

AN ACT TO PROVIDE FOR THE LAYING OUT OF PUBLIC PARKS
AND SQUARES IN THE CITY OF NEWTON.

Chap. 44

Be it enacted, etc., as follows :

SECTION 1. The city council of the city of Newton shall have power to take land from time to time by purchase, gift, devise or otherwise for public parks and squares in said city, and to take and to hold in trust, or otherwise, any devise, grant, gift or bequest for the purpose of laying out, improving or ornamenting any parks and squares in said city, and may provide by ordinances for the government, use, care and superintendence of such parks and squares, either by said city council, or if said council shall so decide by such persons as may be appointed by the mayor and aldermen of said city, and for breaches of such ordinances may affix penalties not exceeding twenty dol-

May take land for parks and squares.

No liability to be incurred except by a two-thirds vote of city council.

lars for one offence: *provided, however*, that no land shall be so taken or liability created or money expended therefor or upon any such park or square, except by a two-thirds vote of all members of each branch of said city council taken by yeas and nays.

Description of land taken to be filed in registry of deeds.

SECTION 2. Said city shall within sixty days after the taking of any land under this act file in the registry of deeds for the southern district of the county of Middlesex a description of such land sufficiently accurate for identifying the same. The title of lands so taken shall vest in the city of Newton. In case said city and the owner of any such land do not agree upon the damage of such taking, such damage shall be ascertained, determined and paid in the same manner as is provided for the assessment and payment of damages for the taking of land for high-ways.

Assessments for betterments.

SECTION 3. At any time within two years after any land is taken or purchased for a park or square under this act, the city council of said city of Newton, if in its opinion any real estate in said city receives any benefit and advantage from such taking or purchasing, or from the locating and laying out of a park or square under this act, beyond the general advantages to all real estate in said city, may adjudge and determine the value of such benefit and advantage to any such real estate, and may assess upon the same a proportional share of the cost of land so purchased or taken, and of the expense of laying out, grading and making such park or square; but in no case shall the assessment exceed one-half of the amount of such adjudged benefit and advantage.

Assessment to constitute a lien upon estate.

SECTION 4. Assessments made under the preceding section shall constitute a lien upon the real estate so assessed, and shall be collected and enforced, with the same rights to owners to surrender their estates, and the same proceedings thereupon, and with the same rights of and proceedings upon appeal, as are provided by chapter fifty-one of the Public Statutes of this Commonwealth.

"Public Park Loan."

SECTION 5. The city council of said city of Newton shall have authority to issue from time to time, and to an amount not exceeding the amount actually expended for the purchase or taking of lands for said parks and squares, bonds or certificates of debt, to be denominated on the face thereof "Public Park Loan," and to bear interest at such rates, and to be payable at such periods as said city council may determine. For the redemption of such loan, the said city council shall establish a sinking fund, suffi-

cient with the accumulating interest to provide for its payment at maturity. All sums paid for betterments shall be paid into said sinking fund until such sum shall amount to a sum sufficient with its accumulations to pay at maturity the bonds for the security of which the fund was established.

Sinking fund.

SECTION 6. This act shall not take full effect unless accepted by a majority of the legal voters of said city present and voting thereon at the annual state election in the present year, notice thereof being duly given, and ballots returned, as is provided for ballots at elections held in said city. Ballots shall be "yes" or "no" in answer to the question: "Shall an act passed by the legislature of the Commonwealth, in the year eighteen hundred and eighty-two, entitled 'An Act to provide for the laying out of public parks and squares, in the city of Newton,' be accepted?" It shall be the duty of the board of aldermen to certify as soon as may be after said meeting to the secretary of the Commonwealth, the number of ballots cast in favor of the acceptance of this act, and the number cast against its acceptance; and if it shall appear that a majority of the ballots have been cast in favor of acceptance, the secretary shall immediately issue and publish his certificate declaring this act to have been duly accepted.

Subject to acceptance by majority vote of legal voters.

Secretary to publish certificate upon acceptance of act.

SECTION 7. So much of this act as authorizes and directs the submission of the question of its acceptance to the legal voters of the city of Newton, shall take effect upon its passage.

Approved March 1, 1882.

AN ACT TO INCORPORATE THE TRUSTEES OF THE JAMES W. HALE FUND.

Chap. 45

Be it enacted, etc., as follows:

SECTION 1. Edward P. Terhune, Courtland W. Anable, Francis J. Wagner and Robert O. Morris, all of Springfield in the county of Hampden, trustees of the funds created for charitable purposes by the will of James W. Hale, late of said Springfield, deceased, and their successors in said trust, are hereby made a corporation by the name of the Trustees of the James W. Hale Fund, for the purpose of managing said funds and dispensing said charities with greater facility and security; with all the powers and privileges and subject to all the restrictions, duties and liabilities set forth in the general laws which now are or hereafter may be in force and applicable to such corporations.

Corporators.

Name and purpose.

SECTION 2. Said corporation may hold all such notes,

Corporate powers.

mortgages, deeds and moneys as may have been given or transferred to the trustees aforesaid in their said capacity, and may sue and recover upon the same without any special or further conveyance or transfer thereof to the said corporation; and may hold and dispose of real estate to any amount which may have been by said trustees, or may be by said corporation, taken as security for or in payment of any debt due to said trustees or said corporation.

Obligations of trustees.

SECTION 3. Nothing in this act contained shall be construed as altering the mode of ascertaining the persons who shall be trustees of said funds from time to time which is provided in said will; nor as relieving such trustees from the obligation of giving bonds as required by law, or from any liability which they may have incurred or hereafter may incur by virtue of such bonds; nor as restricting, enlarging, or in any way changing the provisions of said will, or the scheme of charity therein set forth.

Certain taxes to be refunded.

SECTION 4. The city council of the city of Springfield is hereby authorized to direct the payment from the treasury of said city to said corporation of a sum equal to the amount paid as taxes by said trustees to said city in the year eighteen hundred and eighty-one, to be held and used by said corporation as income of said trust fund in the manner provided by said will.

Property exempted from taxation.

SECTION 5. All of the funds and property aforesaid shall be exempted from taxation.

Approved March 1, 1882.

Chap. 46

AN ACT TO ENABLE THE WINNISIMMET COMPANY TO FUND ITS DEBT AND TO SECURE THE SAME BY MORTGAGE.

Be it enacted, etc., as follows:

May issue bonds and secure the same by mortgage.

SECTION 1. The Winnisimmet Company, incorporated by chapter one hundred and ninety-seven of the acts of the year eighteen hundred and thirty-three, is hereby authorized and empowered to fund its debt, by the issue of its bonds, to an amount not exceeding seventy-five thousand dollars, payable in twenty years, with the option on the part of said company of paying the same in ten years from their date; such bonds to be issued and dated within two months from the passage of this act, and to bear interest at a rate not exceeding six per centum per annum, payable semi-annually; and may secure the same by a mortgage of its assets.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1882.

AN ACT TO CHANGE THE NAME OF THE MASON AND HAMLIN ORGAN COMPANY. *Chap. 47*

Be it enacted, etc., as follows:

SECTION 1. The corporate name of the Mason and Hamlin Organ Company, organized under the general laws of the Commonwealth, is hereby changed to the Mason and Hamlin Organ and Piano Company. Name changed.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1882.

AN ACT TO ESTABLISH HARBOR LINES AT EAST BOSTON. *Chap. 48*

Be it enacted, etc., as follows:

SECTION 1. The lines hereinafter described shall be, and the same hereby are, established as lines beyond which no wharf or pier shall be extended into and over the tide waters of the Commonwealth. Beginning at a point A on the westerly side of Meridian street Bridge and about sixty-three feet southerly from the draw, and marked by a copper tack and an iron plate, in latitude forty-two degrees, twenty-three minutes, six and two hundred and thirty-three thousandths seconds, longitude seventy-one degrees, two minutes, two and five hundred and ninety-six thousandths seconds; thence straight south-westerly eight hundred and seventeen and nine-tenths feet to point B, in latitude forty-two degrees, twenty-three minutes, one and eight hundred and forty-seven thousandths seconds, longitude seventy-one degrees, two minutes, eleven and seven hundred and fifty thousandths seconds; thence straight more southerly eight hundred and eighty-four and three-tenths feet to point C, near McKay's Wharf, in latitude forty-two degrees, twenty-two minutes, fifty-three and six hundred and sixty-three thousandths seconds, longitude seventy-one degrees, two minutes, fifteen and eight hundred and seventy-five thousandths seconds; thence straight southerly and a little westerly one thousand seven hundred and seventy-three and nine-tenths feet to point D, the north-westerly corner of Green's Wharf, in latitude forty-two degrees, twenty-two minutes, thirty-six and one hundred and forty-four thousandths seconds, longitude seventy-one degrees, two minutes, sixteen and five hundred and forty-one thousandths seconds; thence straight southerly and a little more westerly one thousand one hundred and twenty-three and four-tenths feet to point E, nearly opposite Burnham's dry dock, in latitude forty-two degrees, twenty-two minutes,

Harbor lines
established at
East Boston.

twenty-five and two hundred and ten thousandths seconds, longitude seventy-one degrees, two minutes, nineteen and one hundred and nine thousandths seconds; thence straight south-westerly nine hundred and ninety-four and seven-tenths feet to point F, the north-westerly corner of Mayo's south wharf, in latitude forty-two degrees, twenty-two minutes, sixteen and four hundred and two thousandths seconds, longitude seventy-one degrees, two minutes, twenty-four and nine hundred and eighty-seven thousandths seconds; thence southerly four hundred and seventy-four and six-tenths feet on a curve of five hundred and twelve and three-tenths feet radius, tangent at F to the line EF, and curving easterly to the point G, in latitude forty-two degrees, twenty-two minutes, eleven and eight hundred and seventy-nine thousandths seconds, longitude seventy-one degrees, two minutes, twenty-four and nine hundred and sixty-four thousandths seconds; thence straight south-easterly, tangent at G to the curve FG, two thousand five hundred and ninety-one and three-tenths feet to the point H, near the Eastern Railroad and Cunard Wharves, in latitude forty-two degrees, twenty-one minutes, forty-nine and nineteen thousandths seconds, longitude seventy-one degrees, two minutes, nine and four hundred and twenty-one thousandths seconds; thence more easterly, along the front lines of the Cunard and Grand Junction Wharves, one thousand and eighteen and three-tenths feet to the point I, the south-easterly corner of Pier four, Grand Junction Wharves, in latitude forty-two degrees, twenty-one minutes, forty-three and eight hundred and eighty-eight thousandths seconds, longitude seventy-one degrees, one minute, and fifty-seven and seven hundred and fifty-three thousandths seconds.

Repeal.

SECTION 2. All harbor lines heretofore established upon any part of the frontage covered by this act are hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 1, 1882.

Chap. 49 AN ACT PROVIDING THAT WHEN CHRISTMAS DAY OCCURS ON SUNDAY THE DAY FOLLOWING SHALL BE A LEGAL PUBLIC HOLIDAY.

Be it enacted, etc., as follows:

When Christmas occurs on Sunday, the following day to be a legal holiday.

When Christmas day occurs on Sunday the following day is hereby made a legal public holiday, to all intents and purposes, in the same manner as Thanksgiving, Fast and Christmas days, the twenty-second day of February,

the thirtieth day of May, and the fourth day of July, are now by law made public holidays.

Approved March 1, 1882.

AN ACT TO PROVIDE FOR PUBLISHING THE NAMES OF THE MEMBERS OF BOARDS OF INVESTMENT OF SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS.

Chap. 50

Be it enacted, etc., as follows:

SECTION 1. The trustees of every savings bank and institution for savings, incorporated under the authority of this Commonwealth, shall cause to be published semi-annually in some newspaper published in the county in which such corporation is located, the names of the members of the board of investment or other officers of such corporation charged with the duty of investing its funds. The first publication thereof shall be within thirty days of the election of said officers and the second publication at the expiration of six months therefrom.

Names of investing officers to be published in newspaper.

SECTION 2. This act shall take effect upon its passage.

Approved March 9, 1882.

AN ACT TO AUTHORIZE THE ST. JOHN'S CATHOLIC TOTAL ABSTINENCE AND MUTUAL RELIEF SOCIETY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Chap. 51

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter two hundred and forty of the acts of the year eighteen hundred and forty-six is amended so that the St. John's Catholic Total Abstinence and Mutual Relief Society is authorized to hold real and personal estate to the amount of ten thousand dollars for the purposes named in said act.

May hold additional real and personal estate.

SECTION 2. This act shall take effect upon its passage.

Approved March 9, 1882.

AN ACT TO AUTHORIZE THE HOME FOR AGED WOMEN TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Chap. 52

Be it enacted, etc., as follows:

SECTION 1. The Home for Aged Women in the city of Boston, originally incorporated by chapter one hundred and sixty-two of the acts of the year eighteen hundred and forty-nine, is hereby authorized to hold real and personal estate to an amount not exceeding in all eight hundred thousand dollars.

May hold additional real and personal estate.

SECTION 2. This act shall take effect upon its passage.

Approved March 9, 1882.

Chap. 53 AN ACT FOR THE PROTECTION OF TRAPS, TRAWLS AND SEINES.

Be it enacted, etc., as follows:

Penalties for taking fish or lobsters from traps, trawls, etc.

SECTION 1. Any person who shall take any fish or lobster from any trap, trawl or seine set for catching fish or lobsters, except by consent of the owner thereof, and any person who shall wilfully molest or interfere with such trap, trawl or seine, shall for the first offence be punished by a fine of not less than five nor more than twenty-five dollars, or by imprisonment for thirty days, or by both fine and imprisonment; and for any subsequent offence by a fine of not less than twenty nor more than fifty dollars, or by imprisonment for sixty days, or both fine and imprisonment.

SECTION 2. This act shall take effect forty days after its passage. *Approved March 11, 1882.*

Chap. 54 AN ACT TO AMEND CHAPTER ONE HUNDRED AND TWELVE OF THE PUBLIC STATUTES, REQUIRING RAILROAD CARS TO BE FURNISHED WITH CERTAIN TOOLS, AND FOR FURTHER PROTECTION OF PASSENGERS AGAINST FIRE.

Be it enacted, etc., as follows:

Cars to be supplied with certain tools.

SECTION 1. Section one hundred and seventy-one of chapter one hundred and twelve of the Public Statutes is hereby amended by striking out the words "and such other tools and appliances as the board may direct," and inserting in place thereof the following words: "and shall also equip each car of every passenger train, owned or regularly used by it, including mail and baggage cars, with two sets of tools, consisting of an axe, a sledge-hammer, a crowbar, hand-saw and pail. All such tools and appliances shall be maintained in good condition for use in case of accident, and shall be kept, one set upon the inside and one upon the outside of each such car, in some convenient place and manner approved by the board: *provided*, that one set shall be sufficient if so placed as to be accessible from both inside and outside such car."

Proviso.

Penalties for tampering with tools.

SECTION 2. Chapter one hundred and twelve of the Public Statutes is further amended by adding at the end of section two hundred and five the following words: "Whoever unlawfully uses, removes or tampers with any tools or appliances carried on the cars, as required by section one hundred and seventy-one of this chapter, shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding three months, or by both fine and imprisonment."

Safeguards against fire in

SECTION 3. Every drawing-room or sleeping car, pas-

senger, baggage, mail, and express car, owned or regularly used on any railroad in this Commonwealth, in which heating apparatus may be placed, shall be provided with such safeguards for protection against fire as may be approved in writing by the board of railroad commissioners. Any corporation violating the provisions of this section shall forfeit for each offence three hundred dollars. The provisions of this section shall take effect the first day of November, one thousand eight hundred and eighty-two.

passenger cars,
etc.

SECTION 4. The railroad commissioners shall have power to require railroad corporations to equip their cars with such other appliances as in their judgment shall be deemed necessary for the further protection of life in all passenger trains used in this Commonwealth.

Railroad com-
missioners may
require other
appliances.

Approved March 11, 1882.

AN ACT RELATING TO THE PUBLICATION OF NOTICES OF PETITIONS FOR PARTITION OF LANDS.

Chap. 55

Be it enacted, etc., as follows:

SECTION 1. Section fifty-one of chapter one hundred and seventy-eight of the Public Statutes is hereby amended by inserting before the word "newspapers," the words "newspaper or."

Amendment to
P. S. 178, 51.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1882.

AN ACT TO AUTHORIZE THE PROPRIETORS OF THE LOCKS AND CANALS ON MERRIMACK RIVER TO DISCONTINUE A PART OF THE "LOWER FREE LANDING" IN THE CITY OF LOWELL.

Chap. 56

Be it enacted, etc., as follows:

SECTION 1. The second section of chapter one hundred and thirty-two of the acts of the year eighteen hundred and thirty-five, being "An Act to regulate the toll on Patucket Canal," is hereby so amended that the proprietors of the locks and canals on Merrimack River shall not be required by force thereof hereafter to maintain any landing place below the "swamp locks" in the city of Lowell, except that portion of the landing place known as the "lower landing," which is described as follows, to wit:—Beginning at the south-easterly corner of land of the city of Lowell, and thence running south-westerly on said land seventy-five feet; thence at a right angle, south-easterly to Patucket Canal; thence north-easterly on said canal seventy-five feet, and thence at a right angle north-westerly to said land of the city of Lowell and the point of beginning. But nothing in this act shall release said

Landing places
on the Merri-
mack River in
the city of
Lowell.

corporation from any duty or obligation which it is now under to maintain as a free landing that portion of said "lower landing" which is above described, nor impose any duty, obligation or liability not imposed by the first named act.

Subject to assent by city council.

SECTION 2. This act shall take effect when assented to by the city council of the city of Lowell by concurrent vote of the two branches thereof.

Approved March 11, 1882.

Chap. 57 AN ACT PROVIDING FOR THE RE-LOCATION OF THE DEPOT AT STOCKBRIDGE, ON THE STOCKBRIDGE AND PITTSFIELD RAILROAD.

Be it enacted, etc., as follows:

Re-location of passenger station at Stockbridge.

SECTION 1. The board of railroad commissioners is hereby authorized, at any time prior to the twentieth day of May in the year eighteen hundred and eighty-two, to re-locate the passenger station at Stockbridge, which chapter two hundred and twenty-eight of the acts of the year eighteen hundred and eighty-one requires the Housatonic Railroad Company to build. Said Housatonic Railroad Company shall have thirty days' notice before the time of such re-location, and an opportunity to be heard thereon.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1882.

Chap. 58 AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS FOR THE COUNTY OF PLYMOUTH TO LAY OUT A HIGHWAY AND CONSTRUCT A BRIDGE, ACROSS AN ARM OF THE SEA IN HINGHAM.

Be it enacted, etc., as follows:

Highway and bridge across an arm of the sea in Hingham.

SECTION 1. The county commissioners for the county of Plymouth are hereby authorized and empowered to lay out a highway and construct a bridge across an arm of the sea in the town of Hingham in said county between town wharf, so called, and the wharf of James F. Clement. Said commissioners in laying out and constructing said road and bridge shall in all respects proceed as is now provided by law for laying out and constructing highways.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1882.

Chap. 59 AN ACT TO CHANGE THE NAME OF "LA SOCIÉTÉ FRANCO-BELGE DE SECOURS MUTUELS ET DE BIENFAISANCE."

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The name of "La Société Franco-Belge de Secours Mutuels et de Bienfaisance," a corporation existing

under the general laws of the Commonwealth, is hereby changed to “La Prévoyance, Société de Secours Mutuels de Langue Française.”

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1882.

AN ACT TO CONFIRM THE DOINGS OF THE FIRST UNIVERSALIST SOCIETY IN ATTLEBOROUGH.

Chap. 60

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the First Universalist Society in Attleborough, incorporated by chapter one hundred and sixty of the acts of the year eighteen hundred and seventeen, showing the following informalities;—*First*, That the annual meetings of the society have been called by the clerk instead of the society committee, as the statutes direct, no by-law on the subject having been adopted;—*Second*, That the annual meetings have been held in January instead of December, as the statutes provide;—*Third*, That the records of said society do not show that the officers thereof have always been sworn to the faithful discharge of their duties, shall not be construed as invalidating the legal organization of the society, but its legal status is hereby fully established and confirmed notwithstanding these and any other similar informalities.

Proceedings confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1882.

AN ACT TO INCORPORATE THE TRUSTEES OF THE CHAPTER OF THE CHI PSI FRATERNITY IN WILLIAMS COLLEGE.

Chap. 61

Be it enacted, etc., as follows:

SECTION 1. Edmund T. Davis, Marshall C. Hayes, John S. Adriance, their associates and successors, are made a corporation under the name of the “Trustees of the Chapter of the Chi Psi Fraternity in Williams College,” for the purpose of holding and managing the real estate and personal property of the said chapter, with the powers and privileges and subject to the duties, liabilities and restrictions set forth in the general laws which now are or may hereafter be in force relating to such corporations.

Corporators.

Name and purpose.

Powers and duties.

SECTION 2. The said corporation is hereby authorized to hold meetings for the purposes mentioned in this act, in the city of New York, as well as in this Commonwealth.

May hold meetings in New York.

Real and personal estate.

SECTION 3. The said corporation may receive, purchase, hold and convey real and personal property for the uses of said chapter, provided, that the value of the real estate so held at any time shall not exceed twenty thousand dollars, and said property shall not be exempt from taxation.

SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1882.

Chap. 62 AN ACT TO AUTHORIZE THE FALL RIVER RAILROAD COMPANY TO LEASE ITS RAILROAD, FRANCHISE AND OTHER PROPERTY.

Be it enacted, etc., as follows:

May lease road to Old Colony Railroad.

SECTION 1. The Fall River Railroad Company is hereby authorized to lease its railroad, franchise and other property to the Old Colony Railroad Company upon such terms and conditions as the parties may mutually agree upon, and it may make and execute, by a vote of a majority of the stockholders present and voting at a meeting duly called for the purpose, a valid and binding lease therefor.

Security for payment of interest upon first mortgage bonds to be part of rental.

SECTION 2. The Old Colony Railroad Company is hereby authorized to secure the payment of the interest upon the first mortgage bonds of said Fall River Railroad Company as a part of the rental to be paid under said lease, upon such terms and conditions as may be agreed upon between the holders of said bonds and the said Old Colony Railroad Company; and the said Old Colony Railroad Company by a vote of its directors may also enter into and bind itself by such lease, and may hire and hold during the period thereof the railroad, franchise and other property of the said Fall River Railroad Company.

SECTION 3. This act shall take effect upon its passage.

Approved March 11, 1882.

Chap. 63 AN ACT TO ESTABLISH THE SALARY OF THE CLERK OF THE POLICE COURT OF LOWELL.

Be it enacted, etc., as follows:

Salary of clerk.

The annual salary of the clerk of the police court of Lowell shall be twelve hundred dollars, from the first day of January in the year eighteen hundred and eighty-two.

Approved March 11, 1882.

AN ACT TO AUTHORIZE THE TOWN OF ESSEX TO PAY A BOUNTY TO LYMAN H. CHASE. Chap. 64

Be it enacted, etc., as follows:

SECTION 1. The town of Essex is hereby authorized to raise a sum of money not exceeding one hundred and twenty-five dollars and to pay the same as a bounty to Lyman H. Chase, who re-enlisted and was credited to the quota of said town under the call made by the president of the United States on the seventeenth day of October in the year eighteen hundred and sixty-three: *provided*, that the said town shall not be re-imbursed by the Commonwealth for any money paid under authority of this act.

Town may pay a bounty to Lyman H. Chase.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1882.

AN ACT FOR THE PROTECTION OF STRIPED BASS AND BLUEFISH IN THE WATERS OF EDGARTOWN. Chap. 65

Be it enacted, etc., as follows:

SECTION 1. Whoever at any season of the year shall set, stretch or draw any seine or net of any kind in any of the waters of the town of Edgartown, excepting the Oyster Pond, the Great Pond, and Job's Neck Pond, for the purpose of taking or catching striped bass or bluefish, shall forfeit the sum of one hundred dollars for each offence.

Penalty for setting or drawing seine or net for striped bass or bluefish.

SECTION 2. Whoever shall take or catch at any season of the year in any of the waters of the town of Edgartown, excepting the ponds named in the preceding section, any striped bass or bluefish, by means of any seine or net of any kind, shall forfeit one dollar for each and every fish so taken or caught.

Penalty for taking bluefish, etc.

SECTION 3. One-half of the money recovered in any case arising under this act shall be paid to the person making the complaint and the remainder to the Commonwealth.

Disposition of money recovered.

SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1882.

AN ACT TO AUTHORIZE THE SUPREME COUNCIL AMERICAN LEGION OF HONOR TO HOLD ITS ANNUAL MEETINGS WITHOUT THE COMMONWEALTH. Chap. 66

Be it enacted, etc., as follows:

The Supreme Council American Legion of Honor may hold its annual meeting in any state wherein a grand council of said association is established; and its acts at such meetings shall have the same effect as if done within the Commonwealth.

May hold annual meeting without the state.

Approved March 11, 1882.

Chap. 67 AN ACT TO AUTHORIZE AN INCREASE OF THE CAPITAL STOCK OF THE LOWELL HOSIERY COMPANY.

Be it enacted, etc., as follows :

May increase capital stock.

SECTION 1. The Lowell Hosiery Company is hereby authorized to increase its capital stock by an amount which together with the capital heretofore authorized shall not exceed in the aggregate three hundred thousand dollars, and to invest such increase in real and personal estate necessary and convenient for carrying on the business of said company.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1882.

Chap. 68 AN ACT TO INCORPORATE THE NEW ENGLAND QUICK TRANSIT STEAMSHIP COMPANY.

Be it enacted, etc., as follows :

Corporators.

SECTION 1. Charles E. Moody, Henry Hastings, Thomas H. Knowles, Irving A. Evans, James A. Penfield, Thomas Dana, A. Perry Bliven, Holmes M. Jernegan, J. Harley Johnston, their associates and successors, are hereby made a corporation by the name of the New England Quick Transit Steamship Company, to be established in the city of Boston for the purpose of building, chartering and selling vessels to be propelled by steam or other power, and of transporting passengers and freight between Boston and one or more foreign ports. Said corporation shall possess all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in chapters one hundred and five and one hundred and six of the Public Statutes, and in all general laws which now are or hereafter may be in force relating to similar corporations organized under the general laws of this Commonwealth, so far as the same are applicable.

Name and purpose.

Powers and duties.

May construct ship yards, etc.

SECTION 2. Said corporation, subject to the general laws, may purchase or construct and maintain such ship yards, docks, wharves, elevators, warehouses and other structures as may be necessary or convenient for its business.

Capital stock and shares.

SECTION 3. The capital stock of said corporation shall not be less than two million dollars and may be increased from time to time by vote of the corporation to an amount not exceeding five million dollars, and shall be divided into shares of the par value of one hundred dollars each ; but said corporation shall not begin its business until the whole amount of the capital stock as then fixed shall have

been paid into its treasury and a certificate thereof filed in the office of the secretary of the Commonwealth in the manner and form required by sections forty-six, forty-seven and forty-eight of chapter one hundred and six of the Public Statutes.

SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1882.

AN ACT TO ENABLE THE SOUTH ADAMS FIRE DISTRICT TO FURNISH AN ADDITIONAL SUPPLY OF WATER.

Chap. 69

Be it enacted, etc., as follows :

SECTION 1. The South Adams fire district is authorized by and through its prudential committee, for the purpose of furnishing an additional supply of water for the objects mentioned in chapter one hundred and ninety-seven of the acts of the year eighteen hundred and seventy-three, to take and hold the water of Dry Brook, so called, in the towns of Windsor, Cheshire and Adams, and the water which may flow into or from said brook, and any water rights connected therewith, and to convey said water to and through the villages named in section one of said chapter ; and said fire district may take and hold, by purchase or otherwise, any land necessary for forming reservoirs, and for laying and maintaining aqueducts for conducting and distributing said water ; and may take and hold any land on or near said brook, so far as may be necessary for the preservation and purity of the water therein.

May take water from Dry Brook.

May take land for reservoirs.

SECTION 2. Said fire district shall be liable to pay all damages to property sustained by any person or corporation by the taking of any lands, water or water rights by said fire district, or by the laying or maintaining of any aqueducts or other works for the purposes aforesaid. Any person or corporation sustaining damages as aforesaid, and unable to agree with said prudential committee upon the amount of such damages, may have them assessed in the manner provided by law with respect to land taken for highways. Any person or corporation whose water rights are thus taken or affected may apply as aforesaid within two years from the time the water is actually withdrawn or diverted, and not thereafter.

Liability for damages.

SECTION 3. For the purpose of defraying the expenses which may be incurred by said fire district in carrying into effect the powers granted by this act, the town of Adams may issue from time to time notes, scrip, or certificates of debt, to be denominated on the face thereof

Adams Water Scrip not to exceed \$20,000.

“Adams Water Scrip,” to an amount not exceeding twenty thousand dollars, and bearing interest not exceeding six per centum per annum. Said interest shall be payable semi-annually, and the principal shall be payable not more than twenty years from the issue of said notes, scrip, or certificates. All notes, scrip, or certificates issued as aforesaid shall be signed by the treasurer of said town and countersigned by the chairman of the selectmen, and a record of said notes, scrip, or certificates shall be made and kept by the treasurer. The town of Adams may loan said notes, scrip, or certificates to the said fire district, upon such terms and conditions as may be prescribed by said town; and said fire district may sell the same or any part thereof, or pledge the same for money borrowed for the purposes aforesaid, upon such rates or upon such terms as the said fire district shall deem proper.

Interest to be paid semi-annually.

Town may assess taxes for payment of principal and interest.

District to file in registry of deeds a description of the land taken.

SECTION 4. The town of Adams may assess and collect upon the estates, real and personal, in said fire district, all taxes necessary to pay the principal and interest of the notes, scrip, and certificates issued and loaned as aforesaid.

SECTION 5. Said fire district shall, within six months from the time of taking any lands, water or water rights, as before provided, file in the registry of deeds for the northern district of the county of Berkshire an accurate description of the lands, water and water rights so taken; and said fire district shall, upon the written request of any person whose lands are so taken, furnish him with an accurate description of the same.

Provisions of 1873, 110, § 1, to apply.

SECTION 6. The provisions of section ten of chapter one hundred and ninety-seven of the acts of the year eighteen hundred and seventy-three are hereby extended, and shall apply to any lands, dams, and works taken, erected, or maintained by said fire district under and by virtue of this act.

SECTION 7. This act shall take effect upon its passage.

Approved March 11, 1882.

Chap. 70 AN ACT FOR LAYING OUT A PUBLIC PARK IN THE TOWN OF QUINCY.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Quincy may at any legal meeting called for the purpose elect three commissioners and prescribe their terms of office. Said commissioners shall constitute a board of park commissioners, and any vacancy occurring in said board shall be filled in such manner as the town may direct. Said commissioners shall serve without compensation.

Park commissioners to be elected.

To serve without compensation.

SECTION 2. Said board shall have power to locate within the limits of the town of Quincy one or more public parks; and for that purpose, from time to time, to take and hold by purchase or otherwise any and all such lands, except as hereinafter provided, as said board may deem desirable therefor, or to take bonds for the conveyance thereof to said town; to lay out, improve, govern and regulate any such park or parks; to make rules for the use and government thereof, and for breaches of such rules to affix penalties not exceeding twenty dollars for one offence, to be imposed by any court of competent jurisdiction; to appoint all necessary engineers, surveyors, clerks and other officers, including a police force to act in such parks: to define the powers and duties of such officers, and fix their compensation; and generally to do all needful acts for the proper execution of the powers and duties granted to or imposed upon said town or said board by this act: *provided, however*, that no land shall be taken until an appropriation sufficient to cover the estimated expense thereof shall have been made by a two-thirds vote of the voters present and voting at a meeting legally held; and *provided, further*, that no taking of lands otherwise than by purchase shall be valid unless it is reported to the town, filed, accepted and allowed, as provided by section seventy-one of chapter forty-nine of the Public Statutes in the case of laying out town ways.

May locate one or more parks.

To appoint engineers and other officers.

Land not to be taken until money is appropriated.

SECTION 3. Said board of commissioners are expressly authorized to take in fee such portion or portions of land left by the will of the late Ebenezer Woodward to the said town of Quincy for the purposes therein mentioned, as they shall be instructed to take by a two-thirds vote of the voters of said town of Quincy present and voting at a meeting legally held, and in that event the selectmen, town treasurer and town clerk of said town of Quincy, as they are trustees under said will, shall convey in fee to said commissioners such land as said commissioners are instructed to take, and the inhabitants of Quincy shall thereupon pay over to said trustees such a sum of money as three appraisers, not being inhabitants of said town, to be appointed by any justice of the supreme judicial court, may find to be the fair and reasonable value of the land thus taken, which sum the said trustees shall receive, hold and apply to the same uses and trusts and for the same purposes to which such land had been dedicated to by the said will of the late Ebenezer Woodward: *provided*, that this act shall not authorize

May take in fee land left by will of Ebenezer Woodward.

Proviso.

any proceeding which shall in any manner create a forfeiture under the terms and conditions of said will.

To file in registry of deeds a description of the land taken.

SECTION 4. Said board shall, within sixty days after the acceptance by the town of their report of the taking of land under this act, file in the registry of deeds for the county of Norfolk a description thereof sufficiently accurate for identification.

Estimation of damages.

SECTION 5. Said board shall, except as hereinbefore provided, estimate and determine all damages sustained by any persons by the taking of land or other acts of said board in the execution of the powers vested in them under this act; but any person aggrieved by any such determination of said board may have his damages assessed as in case of land taken for highways.

Liability for damages.

SECTION 6. The fee of all lands taken or purchased by said board under this act shall vest in the inhabitants of the town of Quincy, and said town shall be liable to pay all damages assessed or determined, as provided in the preceding section, and all other costs and expenses incurred by said board in the execution of the powers vested in them by this act. Said town shall also be authorized to take and hold in trust or otherwise any devise, grant, gift or bequest that may be made for the purpose of laying out, improving or ornamenting any parks in said town.

Streets not to be laid out in park.

SECTION 7. No street or way and no steam or horse railroad shall be laid out over any portion of any park located under this act, except at such places and in such manner as said board shall approve.

Commissioners to report annually.

SECTION 8. Said board shall, at the annual town meetings and at such other times as the town may direct, make report of its doings including a detailed statement of all receipts, expenditures and liabilities.

Subject to acceptance by voters.

SECTION 9. This act shall not take full effect unless accepted by a majority of the legal voters of said town present and voting thereon by ballot and using the check list at a meeting which shall be held for that purpose during the ensuing year. Said ballot shall be "yes." or "no," in answer to the question "Shall an act passed by the legislature of the Commonwealth in the year eighteen hundred and eighty-two, entitled 'An Act for laying out a public park in the town of Quincy,' be accepted?" Such meeting shall be called, notified and warned in the same manner in which meetings for the election of town officers are called, notified and warned; and it shall be the duty of the selectmen and town clerk to certify as soon as may be to the secretary of the Commonwealth the number

of ballots cast in favor of the acceptance of this act, and the number cast against said acceptance; and if it shall appear that a majority of the ballots have been cast in favor of such acceptance, the said secretary shall forthwith issue and publish his certificate declaring this act to have been duly accepted.

SECTION 10. So much of this act as authorizes and directs the submission of the question of its acceptance to the legal voters of the town of Quincy shall take effect upon its passage.
Approved March 11, 1882.

AN ACT TO AUTHORIZE THE FIRST PARISH IN DORCHESTER TO
SELL CERTAIN REAL ESTATE.

Chap. 71

Be it enacted, etc., as follows:

SECTION 1. The First Parish in Dorchester is hereby authorized to sell at public or private sale, at such time or times as it may choose and for such prices as it may see fit, the whole or any part of the following described real estate: — the “great wood lot,” so called, situate in Milton in the county of Norfolk, containing sixty acres, one quarter, and twenty-seven rods; the “gravel hole,” so called, situate in said Milton, containing one acre, one quarter, and thirty-seven rods; the “purgatory swamp,” so called, in the Dorchester district of Boston in the county of Suffolk, containing twelve acres, and thirty-two rods; the “Indian hill” lot, in said Dorchester district of said Boston, containing seven acres, ten rods; the “ministerial meadow,” so called, opposite the almshouse, in said Dorchester district of said Boston, containing two quarters, thirty-eight rods. The treasurer of said parish for the time being shall have authority to execute and deliver deeds to convey the same in fee simple or otherwise.

May sell real estate.

SECTION 2. The proceeds of the sale of said lands shall be permanently invested in such manner as the standing committee of said parish shall direct; and the income arising therefrom shall be applied exclusively to the support of the ministry in said parish.

Investment of proceeds of sale.

SECTION 3. This act shall take effect upon its passage.

Approved March 11, 1882.

AN ACT TO INCORPORATE THE SOUTH CONGREGATIONAL CEMETERY ASSOCIATION, IN THE TOWN OF DENNIS.

Chap. 72

Be it enacted, etc., as follows:

SECTION 1. Miller W. Nickerson, Alvan Small, Howes Baker, Dr. C. M. Hulbert, Benjamin M. Nickerson, their associates and successors, are hereby made a corporation

Corporators.

Name and purpose.	by the name of the South Congregational Cemetery Association, for the purpose of perfecting, controlling and improving the grounds set apart, used and known as the South Congregational Burial Ground, and the South Congregational Cemetery, situated and lying within one enclosure in the southerly part of the town of Dennis in the county of Barnstable; and said corporation shall have all the powers and privileges, and be subject to all the duties, restrictions and liabilities set forth in the general laws which now are or hereafter may be in force applicable to similar corporations, except as is hereinafter provided.
Powers and duties.	
Organization of corporation.	SECTION 2. A majority in number and interest of the proprietors of said burial ground and said cemetery, present and voting at a meeting legally notified for such purpose, may organize said corporation under this act.
May hold real and personal estate.	SECTION 3. The said corporation may acquire by gift, bequest, devise or purchase, and hold in fee simple, so much real estate, and may also hold so much personal property, as may be necessary for the objects connected with and appropriate to the purposes of said corporation.
	SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1882.

Chap. 73 AN ACT TO PROVIDE FOR THE TESTING OF LOCOMOTIVE BOILERS.
Be it enacted, etc., as follows:

Locomotive boilers to be tested.	SECTION 1. The board of railroad commissioners shall as soon as may be adopt, publish and communicate, to every corporation or person operating a railroad or any portion of a railroad in this Commonwealth, regulations for testing the boilers of locomotives.
Penalty for non-compliance with regulations.	SECTION 2. After three months from the publication of said regulations, any corporation or person using on a railroad in this Commonwealth a locomotive the boiler of which has not been tested as provided by said regulations shall be liable to a penalty of twenty dollars for every day of such use, to be recovered for the use of the Commonwealth by fine imposed on complaint before any court or magistrate of competent jurisdiction.
Regulations may be revised, etc.	SECTION 3. Said board may from time to time revise said regulations, and when such revision has been communicated to any corporation or person operating a railroad or portion of a railroad in this Commonwealth it shall have the same effect as to such person or corporation as if originally adopted by said board.
Boilers to be tested by master mechanic	SECTION 4. Nothing in this act shall be construed to authorize the appointment by the board of any person to

test locomotive boilers. All the testing of such boilers under the regulations of said board shall when possible be done by the master mechanic of the corporation, firm or person constructing or repairing such boilers, or using them on a railroad in this Commonwealth.

of corporation
when possible.

Approved March 16, 1882.

AN ACT RELATIVE TO THE PRESERVATION OF CHECK LISTS IN CITIES. *Chap. 74*

Be it enacted, etc., as follows:

SECTION 1. Section twenty-nine of chapter seven of the Public Statutes is hereby amended by adding at the end thereof the following words:

Preservation of
check lists in
cities.

“And preserved in his custody for the same length of time as is now required by law for the preservation of ballots; and as soon as may be thereafter he shall transmit said lists to the board acting as a board of registrars of voters for such city, and said board shall receive and preserve the same on file.”

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1882.

AN ACT TO REGULATE SALES UNDER POWER OF SALE IN MORTGAGES. *Chap. 75*

Be it enacted, etc., as follows:

The seventeenth section of chapter one hundred and eighty-one of the Public Statutes is hereby amended by inserting after the word “situated” in the tenth line thereof, the words “and if no newspaper is published in such city or town, then in some newspaper published in the county where the mortgaged premises are situated.”

Publication of
notice of sales
under power of
sale in mort-
gages.

Approved March 16, 1882.

AN ACT RELATING TO PERSONAL ESTATE SUBJECT TO TAXATION. *Chap. 76*

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter eleven of the Public Statutes is hereby amended in the sixth line by striking out the word “due,” and inserting in place thereof the words “or indebtedness.”

Amendment to
P. S. 11, § 4.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1882.

Chap. 77 AN ACT TO PROVIDE FOR THE CUSTODY OF BOOKS AND PAPERS OF INSOLVENT SAVINGS BANKS.

Be it enacted, etc., as follows:

Receivers to deposit books, etc., with commissioners at end of a year after settlement ordered by court.

SECTION 1. Receivers of insolvent savings banks and institutions for savings shall, at the end of one year after final settlement ordered by the court, deposit with the commissioners of savings banks all books and papers of such insolvent savings banks and institutions for savings, including those relating to their receivership. And said commissioners shall receive and hold the same in some proper repository in the state house.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1882.

Chap. 78 AN ACT TO AMEND "AN ACT TO INCORPORATE THE BOSTON POLICE RELIEF ASSOCIATION," RELATIVE TO DEATH BENEFITS.

Be it enacted, etc., as follows:

Amendment to 1876, 16.

SECTION 1. Chapter sixteen of the acts of the year eighteen hundred and seventy-six is hereby amended so that the benefit to accrue by reason of the decease of members of the Boston Police Relief Association, or their wives, may be extended to such members as may be retired under section five of chapter two hundred and forty-four of the acts of the year eighteen hundred and seventy-eight and the amendments to the same: *provided*, that such retired members shall have no voice in the government of said association, shall comply with the by-laws thereof, and shall receive no benefit from said association for sickness or disability.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1882.

Chap. 79 AN ACT TO INCORPORATE THE BAKER AND HORTON CEMETERY ASSOCIATION, IN THE TOWN OF REHOBOTH.

Be it enacted, etc., as follows:

Corporators.

SECTION 1. Nathaniel B. Horton, Levi Baker, Angelina Baker, John Baker, Mary J. C. Baker, John A. Davis, Melinda Davis, Mason Baker, Julia I. Baker, Lizzie Z. Baker, Sarah A. Baker, Susan Baker, Mary A. Davis, their associates and successors, are hereby made a corporation by the name of the Baker and Horton Cemetery Association, for the purposes of establishing and maintaining a place for the burial of the dead, to be located in the town of Rehoboth in the county of Bristol: and said corporation shall have all the powers and privileges, and be

Name and purpose.

Powers and duties.

subject to all the duties, liabilities and restrictions of the statutes applicable to similar corporations.

SECTION 2. Said corporation may hold real and personal estate for the purposes aforesaid, not exceeding in amount the sum of five thousand dollars.

Real and personal estate.

SECTION 3. This act shall take effect upon its passage.

Approved March 16, 1882.

AN ACT TO AUTHORIZE THE UNION OF THE OLD COLONY RAILROAD COMPANY AND THE BOSTON, CLINTON, FITCHBURG AND NEW BEDFORD RAILROAD COMPANY.

Chap. 80

Be it enacted, etc., as follows:

SECTION 1. The Old Colony Railroad Company is authorized to unite with the Boston, Clinton, Fitchburg and New Bedford Railroad Company on such terms and conditions and with such guarantees as may be mutually agreed upon by said corporations at meetings of the stockholders thereof duly called for that purpose, and with this view the former corporation is further authorized to purchase and hold the stock of the latter corporation: *provided, however,* that the assent of the Boston, Clinton, Fitchburg and New Bedford Railroad Company to such union shall be given by a majority interest of the holders of preferred stock, and a majority in interest of the holders of the common stock. The name of the united corporation thus authorized shall be the Old Colony Railroad Company, and said corporation shall have and enjoy all the franchises, powers, privileges, property and rights of every kind belonging to the Old Colony Railroad Company, now so called, and to the Boston, Clinton, Fitchburg and New Bedford Railroad Company, or either of them, and shall assume all the duties, debts and liabilities of said corporations, and shall be subject to all general laws which now are or hereafter may be in force relating to railroad corporations.

Railroads may unite.

Name of united corporation.

SECTION 2. The Old Colony Railroad Company, after said union, may issue bonds under the mortgage dated January first, eighteen hundred and eighty, made by the Boston, Clinton, Fitchburg and New Bedford Railroad Company, and ratified and confirmed by chapter seventy of the acts of the year eighteen hundred and eighty, in the same manner and to the same extent as the said Boston, Clinton, Fitchburg and New Bedford Railroad Company was therein authorized; but the bonds and obligations of said last named company which have been or may be acquired or paid under the terms of said mort-

May issue bonds.

Capital stock.

gage, and now are or may hereafter be in the possession of the trustee under said mortgage, shall not be computed as a part of the debt of said Old Colony Railroad Company under the provisions of law relating to the issue of bonds or notes. The capital stock of the Old Colony Railroad Company, upon said union, shall not exceed the amount of the authorized capital stock of said two corporations; but it may, after said union, increase its capital stock to twelve millions of dollars, the new stock to be issued in accordance with existing laws, and the proceeds thereof applied to the payment and reduction of its debt, and to providing additional equipment and improvements of its railroad and other property.

Certificates of votes for union to be filed, etc.

SECTION 3. Whenever said corporations shall vote to unite as aforesaid, copies of the votes whereby such union is assented to certified by the respective clerks of said corporations shall be filed in the office of the secretary of the Commonwealth, and also with the board of railroad commissioners.

SECTION 4. This act shall take effect upon its passage.
Approved March 16, 1882.

Chap. 81 AN ACT TO ALLOW THE NEW ENGLAND TRUST COMPANY TO MAKE ADDITIONAL INVESTMENTS.

Be it enacted, etc., as follows:

May make additional investments.

SECTION 1. The New England Trust Company, incorporated under chapter one hundred eighty-two of the acts of the year eighteen hundred and sixty-nine, may, in addition to the investments which it is now authorized to make, invest the moneys intrusted to it, or in any way received by it, in the notes of manufacturing corporations created by the laws of any of the New England states, the property of which is unencumbered by mortgage, and which have paid a dividend for the two years next preceding such investment; also to take as collateral upon the notes of individuals, citizens of this state, for a period not exceeding four months, the bonds of cities in the United States containing at least one hundred thousand inhabitants, whose net indebtedness does not exceed five per cent. of the valuation of the taxable property therein, to be ascertained by the last preceding city valuation for the assessment of taxes, and selling in the market above par: *provided*, that said bonds shall be taken at not over eighty per cent. of the market value thereof.

SECTION 2. This act shall take effect upon its acceptance by the New England Trust Company.

Approved March 16, 1882.

[Accepted April 10, 1882.]

AN ACT ALLOWING THE SOMERVILLE WHARF AND IMPROVEMENT COMPANY FURTHER TIME TO ORGANIZE. *Chap. 82*

Be it enacted, etc., as follows:

SECTION 1. The Somerville Wharf and Improvement Company, incorporated by chapter one hundred and forty-seven of the acts of the year eighteen hundred and eighty, may organize under said act at any time within one year from the passage of this act. Time for organization extended.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1882.

AN ACT TO CHANGE THE CORPORATE NAME OF THE OLD COLONY AND HINGHAM STEAMBOAT COMPANY. *Chap. 83*

Be it enacted, etc., as follows:

SECTION 1. The corporate name of the Old Colony and Hingham Steamboat Company, incorporated under the general laws of the Commonwealth, is changed to the Hingham, Hull and Downer Landing Steamboat Company. Name changed.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1882.

AN ACT TO AUTHORIZE THE CITY OF FALL RIVER TO LAY OUT AND CONSTRUCT A STREET OR WAY IN AND THROUGH THE BRIGHTMAN BURIAL GROUND. *Chap. 84*

Be it enacted, etc., as follows:

SECTION 1. The city of Fall River is hereby authorized to lay out and construct the street or way known as Benefit Street in and through the private burial ground known as the Brightman burial ground and situated at and around the intersection of said Benefit Street, as proposed to be laid out, and Border City Street: *provided*, that no burial lot in which are buried the remains of the dead shall be entered upon under the provisions of this act until such remains shall have been removed to some other cemetery and duly interred therein, with all headstones as they now exist transferred so as to mark their appropriate graves, without expense to the owner of or persons interested in such burial lot. City may lay out street through a burial ground.

SECTION 2. Said city shall be liable, to the owners of and all parties interested in said burial lot, to pay all damages sustained in their property by the taking of any lands under the provisions of the preceding section. If said owners or any party interested as aforesaid cannot agree with the city upon the amount of said damages they or he may have said damages assessed in the same manner as is Liability for damages.

provided in case of taking land for highways: *provided*, that any application for a jury to assess said damages shall be made within one year after said damages are sustained.

SECTION 3. This act shall take effect upon its passage.

Approved March 16, 1882.

Chap. 85 AN ACT TO RELIEVE THE MASSACHUSETTS HOSPITAL LIFE INSURANCE COMPANY FROM MAKING CERTAIN RETURNS TO THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Relieved from making returns to the secretary of the Commonwealth.

SECTION 1. Section eleven of chapter one hundred and eighty of the acts of the year eighteen hundred and seventeen, being "An Act to incorporate the Massachusetts Hospital Life Insurance Company," is amended by striking out near the beginning of the section the following words:

"It shall be the duty of the directors of the corporation hereby created, once in each year, to make a full, fair and explicit statement of all their real estate, funds and investments of every kind whatever, which shall be subscribed and verified by the oath of a majority of the directors; and on or before the tenth day of January, annually, to deliver the same to the secretary of the Commonwealth, who shall cause the same to be laid before the governor and council and."

SECTION 2. This act shall take effect upon its acceptance by the Massachusetts Hospital Life Insurance Company.

Approved March 16, 1882.

Chap. 86 AN ACT TO INCORPORATE THE PEABODY INSTITUTE OF DANVERS.

Be it enacted, etc., as follows:

Corporators.

SECTION 1. Samuel P. Fowler, Daniel Richards, Joshua Silvester, Francis Peabody, and their associates, trustees of the Peabody Institute of Danvers, and their successors in office, are hereby made a corporation by the name of the Peabody Institute of Danvers, with all the powers and privileges, and subject to all the duties, liabilities and restrictions set forth in the general laws relating to similar corporations: *provided, however*, that it shall not be necessary for said corporation to organize in the method, or to give the notice, and hold the first meeting prescribed by statute; but the present trustees of the Peabody Institute, and their successors to be chosen by the legal voters of the town of Danvers in the manner heretofore prescribed and used, shall constitute and be said corporation, and shall proceed to act and to fulfil their duties under their present

Name.

Proviso.

organization, and according to such rules and regulations as now exist, or may be hereafter legally established.

SECTION 2. Said corporation shall hold all the funds of said Peabody Institute, including their lands and buildings, stocks, bonds and other securities, and such other real and personal estate as may accrue to or for the benefit of said institute by gift, grant, or otherwise, for the purposes declared and upon the conditions imposed by George Peabody the founder of said institute, and shall apply the same in the way and manner indicated by him, and as accepted and determined by the town of Danvers at a town meeting held on the twenty-eighth day of June in the year eighteen hundred and fifty-two, or as may have been since or may hereafter be prescribed by the town of Danvers, so far as the same may be in accordance with the expressed views of said founder, and for no other purpose whatever: *provided, however,* that the whole amount of the aforesaid funds, together with such real and personal estate as may be added thereto, shall not exceed three hundred thousand dollars.

To hold funds,
etc.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved March 16, 1882.

AN ACT TO ESTABLISH THE SALARY OF THE CLERK OF THE
FIRST DISTRICT COURT OF EASTERN MIDDLESEX.

Chap. 87

Be it enacted, etc., as follows:

The annual salary of the clerk of the first district court of Eastern Middlesex shall be one thousand dollars from the first day of January in the year eighteen hundred and eighty-two.

Salary of clerk.

Approved March 16, 1882.

AN ACT RELATING TO THE LOCATION AND CONSTRUCTION OF
TRACKS OF THE LYNN AND BOSTON RAILROAD COMPANY.

Chap. 88

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter one hundred and fifty-two of the acts of the year eighteen hundred and eighty-one is hereby amended by striking out at the end thereof the following words, "But no track shall be located or constructed from Lynn into Swampscott farther than Mudge's Square in said Swampscott; and the time for locating and constructing in Peabody and Everett is limited to two years from the passage of this act."

Location of
tracks.

SECTION 2. This act shall take effect upon its passage.

Approved March 16, 1882.

Chap. 89 AN ACT TO AUTHORIZE THE DEFINING AND IMPROVEMENT
OF THE CHANNEL OF MERRIMACK RIVER IN THE CITY OF
LOWELL.

Be it enacted, etc., as follows:

Channel may
be altered,
straightened,
etc.

SECTION 1. To facilitate the construction and for the greater safety and convenience of highways and bridges across Merrimack River, and for the purpose of improving the navigation and water power of said river, the city of Lowell, the proprietors of the locks and canals on Merrimack River, the Lawrence Manufacturing Company, the Merrimack Manufacturing Company, the Boott Cotton Mills, and the Massachusetts Cotton Mills are authorized and empowered to alter, straighten, deepen, remove obstructions from, and by their unanimous agreement define, establish and fix the boundaries of the bed and channel of said river within said city between the mouth of Beaver Brook and the easterly line of the public landing on the northerly side of said river, and the mouth of Concord River and westerly line of the public landing on the southerly side of said Merrimack River. Whenever said boundaries shall be so defined and fixed, the owners of lands abutting on said Merrimack River may construct and maintain walls and embankments thereon, and fill up, occupy and improve such lands to such boundaries. The city of Lowell for the purpose of constructing and maintaining highways, townways and bridges which heretofore have been or hereafter shall be duly laid out or established to or across said Merrimack River, may construct and maintain abutments and embankments therefor to said boundaries, and suitable piers within the bed or channel so defined and fixed as herein authorized. All such walls, abutments, embankments or other works constructed or maintained under authority of this act, shall have suitable openings or culverts therein to permit the flowing into said Merrimack River of all water courses, sewers and drains now lawfully emptying into said river within the limits above described.

Certificates
describing
boundaries,
channel, etc.,
to be filed be-
fore work is
commenced.

SECTION 2. Before any wall, abutment, embankment or other work shall be constructed under authority of this act, said city and corporations shall cause a certificate setting forth and describing the boundaries of said bed and channel, defined and fixed as herein authorized, signed by the mayor of said city and the president or treasurer of each of said corporations to be recorded in the registry of deeds for the northern district of the county of Middlesex, and also cause a map delineating such bounda-

ries upon a scale of not less than one hundred feet to the inch, signed in like manner as said certificate, to be filed in said registry.

SECTION 3. Any person whose property may be damaged by the exercise or carrying into effect of the powers or rights conferred by the first section of this act, except by the construction or maintenance of piers in said bed or channel, may have the amount of such damage determined and may recover the same of said city and corporations in the manner provided in chapter one hundred and twelve of the Public Statutes for the estimation and recovery of damages occasioned by the laying out, construction and maintenance of railroads: *provided*, the application for the estimation of such damages shall be made within three years after the recording of the certificate and filing of the plan required by section two; but no person shall be entitled to recover damages under this act on account of any act or thing which said city or corporations or any or either of them would have a right to do without liability to such person for damages occasioned thereby, if this act had not been passed. In estimating the damages allowance by way of set-off shall be made for any benefit to the property of such person by any deepening, widening or straightening of the bed or channel of said Merrimack River, or removing of obstructions therefrom by said city and corporations or any of them, as well as for any other benefit that shall have resulted to the property of such person by the carrying into effect of any of the powers granted by this act after this act shall take effect and before the final determination of such damages.

Estimation and recovery of damages.

Proviso.

SECTION 4. All expenses that shall be incurred by said city and corporations or either of them in carrying into effect and exercising the powers and rights granted by this act, and in ascertaining and satisfying the damages thereby to property of any person, shall be paid by said city and corporations respectively in such proportions as shall be agreed between them. Said city and corporations may make such contracts between themselves for carrying into effect the powers hereby granted and the prevention and removal of obstructions in said Merrimack River and payment of the expenses thereof, as they may deem expedient, and the performance and observance thereof by them respectively may be enforced by suitable proceedings at law or in equity by the supreme judicial court: *provided*, such contract shall be in writing and recorded

Payment of expenses.

in the same registry and at the same time as the certificate required by section two.

Rights of the city not impaired.

SECTION 5. This act shall not impair any right which the city of Lowell now has to lay out, construct or maintain any highway, townway or bridge to or across said Merrimack River; nor shall it affect the right or remedy of any person for damage occasioned by the laying out, construction or maintenance of any highway, townway or bridge, except for damages occasioned by the construction or maintenance of abutments or embankments therefor under authority of this act and for which remedy is herein specially provided.

Subject to acceptance.

SECTION 6. This act shall be void unless accepted by the city council of said city, and by each of said corporations by vote of their respective boards of directors, within six months after the passage hereof.

Approved March 17, 1882.

Chap. 90 AN ACT TO INCORPORATE THE WHITE'S FERRY BRIDGE COMPANY.

Be it enacted, etc., as follows:

Corporators.

SECTION 1. Benjamin J. Greeley, John P. Newell, Charles E. Jackson, their associates and successors, are made a corporation by the name of the White's Ferry Bridge Company, for the purpose of constructing and maintaining a pile bridge across North River between the towns of Marshfield and Scituate, at or near the easterly terminus of Sea Street in White's Ferry village in said town of Marshfield.

Name and purpose.

Bridge to be at least twenty feet wide.

SECTION 2. Such bridge shall be well built of suitable materials, shall be at least twenty feet wide and floored with planks, shall have sufficient railings on each side, shall have a suitable draw for the passage of vessels, and shall be kept in good repair at all times: *provided, however*, that any structure built under this act shall be subject to the supervision and approval of the board of harbor and land commissioners as provided in section eight of chapter nineteen of the Public Statutes.

Proviso.

Real and personal estate.

SECTION 3. Said corporation may purchase and hold such real and personal estate as may be necessary and proper for the purposes of this act, and shall have all the powers and privileges except the right to collect tolls, and be subject to all the duties, liabilities and restrictions set forth in the general laws which now are or hereafter may be in force relating to such corporations. The capital stock of said corporation shall not exceed in amount ten thousand dollars.

SECTION 4. If said corporation neglects for the period of five years from the passage of this act to build and finish such bridge, then this act shall be void.

Bridge to be built within five years.

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

Approved March 17, 1882.

AN ACT RELATING TO THE OCEAN TERMINAL RAILROAD, DOCK, AND ELEVATOR COMPANY.

Chap. 91

Be it enacted, etc., as follows:

SECTION 1. The time within which the Ocean Terminal Railroad, Dock, and Elevator Company may agree with the Mystic River Corporation and the Ocean Terminal Railroad Company upon the terms and conditions of the purchase of lands and other property belonging to the latter named corporations, as provided in section four of chapter two hundred and thirty-nine of the acts of the year eighteen hundred and eighty-one, is hereby extended one year, and until the sixth day of May in the year eighteen hundred and eighty-three.

Time extended for agreement upon conditions of purchase.

SECTION 2. In case said Ocean Terminal Railroad, Dock, and Elevator Company shall locate and build a grain elevator on the north-westerly side of Chelsea Bridge Avenue, so called, in the city of Boston, said company is hereby authorized to construct and maintain, with the consent of the board of aldermen of the city of Boston, a belt gallery over said avenue, in order that grain may be conveyed through said gallery to vessels lying in the docks on the south-easterly side of said avenue.

Belt gallery over Chelsea Bridge Avenue.

SECTION 3. This act shall take effect upon its passage.

Approved March 18, 1882.

AN ACT TO AUTHORIZE THE TOWN OF ADAMS TO APPROPRIATE MONEY FOR THE PAYMENT OF EXPENSES INCURRED IN THE DIVISION OF SAID TOWN.

Chap. 92

Be it enacted, etc., as follows:

SECTION 1. The town of Adams is authorized to raise and appropriate a sum of money, not exceeding six hundred dollars, for the payment of expenses incurred in obtaining legislation creating the town of North Adams out of the territory of said town of Adams, under chapter one hundred and forty-three of the acts of the year eighteen hundred and seventy-eight.

May raise money for expenses incurred in obtaining legislation for division of town.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1882.

Chap. 93 AN ACT TO AUTHORIZE THE TOWN OF ACTON TO PAY CERTAIN BOUNTIES.

Be it enacted, etc., as follows:

May pay cer-
tain bounties
to soldiers.

SECTION 1. The town of Acton is authorized, in the manner provided in section two of this act, to raise by taxation a sum of money not exceeding four thousand dollars and appropriate the same to the payment of a bounty of one hundred and twenty-five dollars to each soldier, and the legal representatives of each deceased soldier, who re-enlisted as a veteran in the twenty-sixth regiment of Massachusetts volunteers under the call of the president dated October seventeenth eighteen hundred and sixty-three, who was credited to said town and has never received therefrom any bounty for such re-enlistment: *provided*, that said town shall not be re-imbursed by the Commonwealth for any money paid under the authority of this act.

Subject to ac-
ceptance by
the town.

SECTION 2. The selectmen of said town shall insert in the warrant for the annual meeting in April in the year eighteen hundred and eighty-two an article providing that a vote shall be taken on the question of raising such money and appropriating the same to the payment of such bounties. In voting upon the question the check list shall be used, and the polls shall be kept open at least four hours. The vote shall be by ballot, and ballots shall be "Yes," or "No," in answer to the question, "Will the town pay a bounty of one hundred and twenty-five dollars to each soldier, and the legal representatives of each deceased soldier, who re-enlisted as a veteran in the twenty-sixth regiment of Massachusetts volunteers under the call of the president dated October seventeenth eighteen hundred and sixty-three, who was credited to the town and has never received any bounty therefrom for such re-enlistment; and raise by taxation the sum of four thousand dollars for, and appropriate the same to, the payment of said bounties?"

SECTION 3. This act shall take effect upon its passage.

Approved March 20, 1882.

Chap. 94 AN ACT TO PREVENT DISCRIMINATION IN FREIGHT RATES BY RAILROAD CORPORATIONS.

Be it enacted, etc., as follows:

No discrimina-
tion to be made
in charges for
freight.

SECTION 1. No railroad corporation shall discriminate in charges for the transportation of freight against or in favor of any person, firm or corporation, or demand or

accept from any person, firm or corporation, for the transportation of freight, a higher or lower rate, or demand or grant terms more or less favorable, than those demanded or accepted from any other person, firm or corporation for like service.

SECTION 2. Any railroad corporation violating the provisions of this act shall, in addition to liability for all damages sustained by reason of such violation, be liable to the penalty provided by section one hundred and ninety-one of chapter one hundred and twelve of the Public Statutes.

Penalty for violation.

Approved March 21, 1882.

AN ACT CONCERNING APPEALS IN THE POLICE, DISTRICT AND MUNICIPAL COURTS IN CIVIL CASES. Chap. 95

Be it enacted, etc., as follows :

SECTION 1. The provisions of section fifty-two of chapter one hundred and fifty-four of the Public Statutes, relating to the filing of bonds by parties appealing in civil proceedings in the municipal courts of the city of Boston and the execution thereof by attorneys of record, shall apply to the several municipal, police and district courts in the Commonwealth.

Filing of bonds in appeals in civil cases.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1882.

AN ACT FIXING THE COMPENSATION OF OFFICERS IN ATTENDANCE UPON SHERIFFS' JURIES. Chap. 96

Be it enacted, etc., as follows :

SECTION 1. An officer in attendance upon a sheriff's jury shall receive four dollars for each day he attends upon them.

Compensation.

SECTION 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1882.

AN ACT TO PROVIDE FOR THE INSTRUCTION AND EXERCISE OF A PORTION OF THE VOLUNTEER MILITIA IN THE MANUAL AND DRILL OF HEAVY ARTILLERY. Chap. 97

Be it enacted, etc., as follows :

Section twenty-three of chapter fourteen of the Public Statutes is hereby amended by adding to said section the following words : "one regiment or more of which, at the

Portion of the militia to be drilled as heavy artillery.

discretion of the commander-in-chief, shall be trained, instructed and exercised in the manual and drill of heavy artillery.”

Approved March 21, 1882.

Chap. 98 AN ACT TO PROVIDE FOR THE PRESERVATION OF LOBSTERS.

Be it enacted, etc., as follows:

Penalty for catching in July female lobster bearing eggs.

SECTION 1. Section eighty-one of chapter ninety-one of the Public Statutes is hereby amended to read as follows:— “SECTION 81. Whoever during the month of July in any year catches or takes from any of the waters of this Commonwealth any female lobster bearing eggs, shall be punished for each offence by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the house of correction for not less than one nor more than three months; but a person catching or taking any such lobster during said month of July, and immediately returning it alive to the waters from which it was taken, shall not be subject to such penalty.”

Penalty for selling, etc.

SECTION 2. Section eighty-two of chapter ninety-one of the Public Statutes is hereby amended to read as follows:— “SECTION 82. Whoever during the month of July in any year sells or has in his possession with intent to sell, any female lobster bearing eggs, taken in this Commonwealth, shall forfeit for each offence a sum not less than ten nor more than fifty dollars.”

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1882.

Chap. 99 AN ACT TO EXTEND THE TIME FOR THE ORGANIZATION OF THE KATAMA LAND COMPANY.

Be it enacted, etc., as follows:

Time for organization extended.

Proviso.

SECTION 1. The time for the organization of the Katama Land Company, under chapter one hundred and fifty-five of the acts of the year eighteen hundred and seventy-two, is hereby extended to the first day of July in the year eighteen hundred and eighty-two: *provided*, that said corporation when organized shall not thereby acquire any right of action upon any subscription to its capital stock, unless made subsequent to the passage of this act.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1882.

AN ACT CONCERNING THE VETERAN ASSOCIATION OF THE INDEPENDENT CORPS OF CADETS. *Chap. 100*

Be it enacted, etc., as follows:

SECTION 1. The Veteran Association of the Independent Corps of Cadets, incorporated by chapter eight of the acts of the year eighteen hundred and seventy-seven, may hold real and personal estate to an amount not exceeding two hundred and fifty thousand dollars.

Real and personal estate not to exceed \$250,000.

SECTION 2. The real estate now held or hereafter acquired by said corporation, so long as and to the extent that the same shall be used by the active volunteer militia organization designated by law as the First Corps of Cadets and its successors in accordance with the laws which now are or hereafter shall be in force relating to the militia, shall be exempt from taxation.

Portion of real estate to be exempt from taxation.

SECTION 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repeal.

Approved March 21, 1882.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PERMIT THE ERECTION OF CERTAIN FRAME OR WOODEN BUILDINGS WITHIN THE BUILDING LIMITS OF SAID CITY. *Chap. 101*

Be it enacted, etc., as follows:

The city council of the city of Boston may authorize the erection of frame or wooden buildings for market purposes within the building limits of said city, upon the conditions, that such buildings shall not exceed twenty-seven feet in height, that all external parts thereof shall be covered with iron or other non-combustible material, and that the material used and the mode of erection shall be approved by the inspector of buildings of said city.

May erect certain wooden buildings within the building limits of the city.

Approved March 21, 1882.

AN ACT CONCERNING THE FISHERIES IN GREAT POND AND JOB'S NECK POND IN THE TOWN OF EDGARTOWN. *Chap. 102*

Be it enacted, etc., as follows:

SECTION 1. The lessees holding from the commissioners on inland fisheries a lease of Great Pond and Job's Neck Pond, in the town of Edgartown, may take smelts and alewives from said ponds and from the ditches connecting them with each other and with the ocean, at all seasons of the year and without restrictions as to days.

Lessees may take smelts and alewives at any time.

SECTION 2. Whoever other than said lessees takes any fish, except eels, from either of said ponds or ditches,

Penalty for taking fish without permission.

without the permission in writing of said lessees first obtained, shall forfeit one dollar for each fish so taken, and shall also forfeit any boat, net, line, rod or other apparatus used in such taking in accordance with the provisions of chapter one hundred and ninety-four of the Public Statutes.

Approved March 21, 1882.

Chap. 103 AN ACT TO CHANGE A PORTION OF THE HARBOR LINE IN GLOUCESTER HARBOR.

Be it enacted, etc., as follows:

Harbor line established in Gloucester harbor.

SECTION 1. The following described line is established as a portion of the harbor line beyond which no wharf or pier shall be extended into and over the tide-waters of the Commonwealth:—The line begins at a point in the present harbor line, distant four hundred and twenty-five feet north-westerly from monument C, being a granite post and marked as monument C on the map of the commissioners on harbors and flats, dated October, eighteen hundred and sixty-five, said point being also the south-westerly corner of Shute and Merchant's wharf at East Gloucester; and thence said line runs south-westerly in a straight line a distance of one hundred and fifty-five feet to a point four hundred and seventy feet from said monument C; thence southerly in a straight line eight hundred feet to a point on the line of the northerly side of the wharf belonging to Samuel Haskell, extended, and distant eighty-five feet from the present harbor line; thence south-westerly in a straight line two hundred and forty-eight feet to a point six hundred and eighteen feet distant from the north-east corner of the building formerly known as engine house number six in East Gloucester, and one hundred feet distant from the present harbor line; thence south-westerly in a straight line about eleven hundred and forty feet to a point five hundred and thirty-two feet distant westerly from monument D, as shown upon the aforesaid map, which point is also the most westerly corner of the wharf belonging to William Parsons, second, and Company.

Portion of former line superseded.

SECTION 2. The harbor line heretofore established upon that part of the harbor frontage covered by this act is superseded by the harbor line hereby established.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1882.

AN ACT TO PROVIDE FOR THE RECONSTRUCTION OF A PART OF *Chap. 104*
 ESSEX MERRIMACK BRIDGE.

Be it enacted, etc., as follows :

SECTION 1. The county commissioners for the county of Essex are hereby authorized and required, as soon as may be after the passage of this act, to reconstruct or build anew, subject to the approval of the board of harbor and land commissioners, that part of the Essex Merrimack Bridge which lies between Deer Island and the northern shore of the Merrimack River in the town of Salisbury, including a suitable draw not less than fifty feet wide and pier approaches thereto; and the said county commissioners are hereby authorized to hire such sums of money as may be necessary to comply with the provisions of this act.

Reconstruction
of bridge by
the county
commissioners.

SECTION 2. The said county commissioners shall, after due notice to all parties interested and after a hearing of all such parties, proceed to determine what cities and towns in said county receive particular and special benefit from the use of said bridge and draw, to apportion and assess upon said county and said cities and towns such an amount as they shall deem equitable and just for the cost of reconstructing said bridge and draw. Said county commissioners shall also determine what proportion said county and said cities and towns shall pay annually for the cost of repairs and maintenance of said bridge and draw.

Commissioners
after notice and
hearing to ap-
portion ex-
pense.

SECTION 3. The treasurer of the city or town having the care of the draw and repairs of said bridge, and paying for said service out of the treasury of such city or town, shall make a sworn statement to the said county commissioners of the annual expense thereof on or before the first day of January in each year; and the said county commissioners shall pay out of the treasury of said county to such city or town, after deducting its proportion of the annual expense, the balance which may be due.

Expenses of
care of draw
and of repairs
upon bridge.

SECTION 4. This act shall take effect upon its passage.

Approved March 22, 1882.

AN ACT RELATING TO THE DITCHING OF SOUTH BEACH IN THE *Chap. 105*
 TOWN OF EDGARTOWN.

Be it enacted, etc., as follows :

SECTION 1. Section two of chapter seventy-five of the acts of the year eighteen hundred and eighty-one is hereby so amended as not to require that the commissioners provided for in said section shall be disinterested persons.

Amendment to
1881, 75, § 2.

SECTION 2. This act shall take effect upon its passage.

Approved March 22, 1882.

Chap. 106 AN ACT IN RELATION TO THE TAXATION OF FOREIGN MINING,
QUARRYING AND OIL COMPANIES.

Be it enacted, etc., as follows:

Taxation of foreign mining, quarrying and oil companies.

SECTION 1. Every corporation, company or association chartered or organized by authority other than that of this Commonwealth for the purpose of engaging without the limits of this Commonwealth in the business of coal mining or other mining, of quarrying, or extracting carbonaceous oils from the earth, or of purchasing or holding mines or lands without the said limits, which shall for any period exceeding ten days establish, set up, have, or keep principal or branch subscription, treasury, or transfer office or agency within this Commonwealth, shall within thirty days after the setting up or establishment of such office or agency make and return to the secretary of the Commonwealth a certificate in manner and form to be approved by the commissioner of corporations, and signed and sworn to by its president, treasurer and a majority of its board of directors or trustees, setting forth the name of such corporation, company or association, the name of the state, territory, or foreign country under whose laws it is organized and whether specially chartered, or organized under the general laws thereof, its location in such state, territory or country, the location of its mines, quarries, oil wells, or lands, and the amount of its capital stock authorized by its charter or organization and the amount thereof actually called in by assessment or instalment, the place or places within this Commonwealth in which its office or offices are established or set up, and the names and residences of all those of its officers, directors, trustees and agents, who are citizens or residents of this Commonwealth. Such corporation, company or association shall also in said return designate, by his proper name and address, one of said officers or agents, a citizen or resident of this Commonwealth, as the attorney upon whom service may be made of all process against such corporation, company or association in this Commonwealth.

Attorney to be designated upon whom process may be served.

Certificate of increase or decrease of capital to be filed.

SECTION 2. Within thirty days after any meeting of the stockholders, members, directors, or trustees of any such corporation, company or association at which the capital stock is increased or reduced, or any changes made in its board of officers, agents, directors or trustees, a like certificate shall be filed setting forth the facts as then established.

SECTION 3. The fee for filing and recording the certifi-

cate required by sections one and two of this act shall be five dollars for each certificate, to be paid to the secretary of the Commonwealth, and by him paid into the treasury of the Commonwealth.

Fee for filing, etc., certificate.

SECTION 4. Each such corporation, company or association shall semi-annually between the first and tenth days of June and December in each year pay to the treasurer of the Commonwealth a tax of one-fortieth of one per centum upon the par value of its capital stock as standing fixed by the corporation, company or association on the first days of May and November respectively then next preceding: *provided, however,* that said semi-annual tax shall not for any one of such corporations, companies or associations exceed the sum of three hundred dollars. And this tax when paid shall be in lieu of that required by section forty-three of chapter thirteen of the Public Statutes.

Taxes to be paid to the treasurer of the Commonwealth.

SECTION 5. All officers, directors, trustees and agents of such corporations, companies or associations, citizens of or resident or commorant within this Commonwealth, shall be jointly and severally liable for all taxes due under said section forty-three of chapter thirteen of the Public Statutes, and for fees required to be paid under the provisions of this act.

Officers, etc., liable for taxes.

SECTION 6. This act shall take effect upon its passage.

Approved March 22, 1882.

AN ACT MAKING APPROPRIATIONS FOR EXPENSES AUTHORIZED THE PRESENT YEAR, AND FOR OTHER PURPOSES.

Chap. 107

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, unless otherwise ordered, for the purposes specified in certain acts and resolves of the present year, and for other purposes: —

Appropriations.

In the resolve chapter four, in favor of David B. Tenney, city treasurer of Haverhill, the sum of fifty dollars.

David B. Tenney.

In the resolve chapter six, in favor of the overseers of the poor of the town of Templeton, the sum of twenty-nine dollars and fifty-seven cents.

Town of Templeton.

In the resolve chapter seven, to provide for increasing the barn accommodations of the state almshouse at Tewksbury, the sum of two thousand five hundred dollars.

State almshouse at Tewksbury.

In the act chapter twenty-nine, relative to clerical assistance in the state library, the sum of two hundred dollars.

State library.

Survey of the
Mystic Valley.

For expenses incurred in the survey of the Mystic Valley and the neighborhood of Boston, as authorized by resolve chapter sixty-two, of the year eighteen hundred and eighty-one, the sum of two thousand dollars and eighty-four cents.

Dukes County
teachers' asso-
ciation.

For the Dukes County teachers' association, the sum of fifty dollars.

Small items of
expenditure.

For small items of expenditure for which no appropriations have been made, or for which appropriations have been exhausted or reverted to the treasury in previous years, a sum not exceeding one thousand dollars.

Books for regis-
tration of
voters.

For furnishing to cities and towns blank books for registration of voters, a sum not exceeding one hundred dollars.

Indexing senate
journals.

For indexing senate journals, in accordance with an order of the senate, a sum not exceeding eight hundred dollars.

Expenses of
state valuation.

For expenses of the state valuation, as authorized by chapter one hundred and sixty-three of the acts of the year eighteen hundred and eighty-one, a sum not exceeding three thousand dollars.

William Mag-
ginnis.

In the resolve chapter eight, in favor of William Magginnis, the sum of three hundred and twenty-five dollars.

Charles S. Bol-
ton.

In the resolve chapter ten, in favor of Charles S. Bolton, the sum of one hundred and seven dollars and thirty-three cents.

Melzar W.
Coombs.

In the resolve chapter eleven, in favor of Melzar W. Coombs, the sum of three hundred dollars.

Improvements
in basement of
the state house.

In the resolve chapter twelve, providing for the payment of certain bills in connection with the improvements in the basement of the state house, the sum of sixteen thousand nine hundred and forty-seven dollars and twenty cents.

Contingent
expenses of
harbor and
land com-
missioners.

For the contingent expenses of the harbor and land commissioners, a sum not exceeding five hundred dollars, in addition to the amount heretofore appropriated.

SECTION 2. This act shall take effect upon its passage.

Approved March 27, 1882.

Chap. 108 AN ACT TO AUTHORIZE COUNTY COMMISSIONERS TO CONTROL TRAVEL OVER BRIDGES CONSTRUCTED OR MAINTAINED IN WHOLE OR IN PART BY A COUNTY.

Be it enacted, etc., as follows:

Rate of speed
may be regu-
lated by county
commissioners.

SECTION 1. The county commissioners for each county may establish by-laws to prevent persons from riding or driving horses or other beasts at a rate faster than a walk over any bridge in such county which has cost not less than

one thousand dollars and to the construction of which the county contributed, or to the maintenance of which it contributes; and may annex penalties not exceeding two dollars for a breach thereof, to be recovered in the name of the county treasurer.

SECTION 2. Police, district and municipal courts, and trial justices, in the several cities and towns in which any of such bridges terminate shall have jurisdiction of complaints for the violation on such bridges of the provisions of this act, in the same manner as if the offence was committed within such city or town.

Jurisdiction of complaints for violation.

SECTION 3. No person shall be liable to the penalty in this act unless the county commissioners keep posted up in a conspicuous place, at each end of such bridges, a white board containing in black letters the substance of their said by-laws.

By-laws to be conspicuously posted.

SECTION 4. This act shall take effect upon its passage.

Approved March 27, 1882.

AN ACT TO PROVIDE FOR DETERMINING THE LOCATION OF COMMON LANDING PLACES.

Chap. 109

Be it enacted, etc., as follows:

SECTION 1. When ten or more freeholders in any county represent to the county commissioners for such county that the exact location of a common landing place in such county cannot be readily ascertained, such county commissioners shall make investigation thereof; and if it appears that the representation is correct, they shall, after giving the notice required in laying out highways, proceed to ascertain the correct location of such landing place, erect the necessary bounds thereof and make a record of their doings in the way provided in case of laying out highways.

County commissioners to determine locations of common landing places.

SECTION 2. This act shall take effect upon its passage.

Approved March 27, 1882.

AN ACT RELATING TO THE ACCOUNTS OF THE TREASURER AND AUDITOR.

Chap. 110

Be it enacted, etc., as follows:

SECTION 1. The par of exchange established by section thirty-five hundred and sixty-five of the Revised Statutes of the United States is hereby adopted for all accounts, entries and records in the books of the treasurer and auditor of the Commonwealth, and those officers are hereby authorized and directed to cause suitable entries

Accounts of treasurer and auditor.

to be made in all open accounts and the records thereof in their respective departments to make them conform to the standard hereby established.

SECTION 2. This act shall take effect upon its passage.

Approved March 27, 1882.

Chap. 111 AN ACT AUTHORIZING THE TREASURER AND RECEIVER-GENERAL TO EMPLOY ADDITIONAL CLERICAL ASSISTANCE.

Be it enacted, etc., as follows:

Additional clerical assistance.

SECTION 1. The treasurer and receiver-general may employ an extra clerk in his department in addition to those clerks now authorized by statute, when necessary for the proper performance of the public business, at a salary not exceeding that of other extra clerks in his department.

SECTION 2. This act shall take effect upon its passage.

Approved March 27, 1882.

Chap. 112 AN ACT TO REGULATE THE PAYMENT OF BOUNTIES AND ALLOTMENTS OF VOLUNTEERS.

Be it enacted, etc., as follows:

Payment of bounties and allotments to soldiers.

SECTION 1. The amounts now standing on the books of account of the treasurer of the Commonwealth to the credit of the accounts of Massachusetts volunteers, returned allotments and allotment rolls, amounting to forty-six thousand three hundred and thirty-six dollars and eighty cents, with interest earned thereon from the first day of January of the current year, shall be transferred to the bounty loan sinking fund established by chapter three hundred and thirteen of the acts of the year eighteen hundred and sixty-four.

Claim to be filed with the auditor.

SECTION 2. Any person entitled to receive any sum from the treasurer under the provisions of chapter sixty-two of the acts of the year eighteen hundred and sixty-two, or chapter two hundred and fifty-four of the acts of the year eighteen hundred and sixty-three, and of the acts in amendment thereof or in addition thereto, may file his claim, with such evidence as he may desire in support thereof, with the auditor of the Commonwealth. The auditor shall thereupon examine the same and from this and such other evidence as he may obtain, satisfy himself as to the validity of the claim, and shall certify to the governor the amount, if any, found due. Warrant therefor and payment thereof shall thereupon be made as in case of other lawful payments from the treasury of the

Commonwealth, and no payments on account of such claims shall hereafter be made except in the manner herein provided.

SECTION 3. This act shall take effect upon its passage.

Approved March 27, 1882.

AN ACT TO AUTHORIZE CITIES AND TOWNS TO RECOVER FOR EXPENSE INCURRED IN THE SUPPORT OR RELIEF OF PAUPERS.

Chap. 113

Be it enacted, etc., as follows:

Any city or town which incurs expense for the support of a pauper having a settlement therein may recover the same against such person, his executors or administrators, in an action of contract for money paid, laid out and expended for his use.

Expense of support of pauper may be recovered against him.

Approved March 27, 1882.

AN ACT TO ANNEX TO THE CITY OF SALEM A PARCEL OF LAND LYING IN THE TOWN OF PEABODY.

Chap. 114

Be it enacted, etc., as follows:

All that parcel of land lying in the town of Peabody belonging to the Harmony Grove Cemetery, which is described as follows, viz.:— Beginning at a point formed by the intersection of the south-westerly line of Tremont Street with the boundary line dividing the town of Peabody and the city of Salem, and running north-westerly by the south-westerly line of Tremont Street about two hundred feet to the south-easterly line of Mount Vernon Street; then turning and running south-westerly by the south-easterly line of Mount Vernon Street about seven hundred and fifty feet to the land now or late of James Buxton; then turning and running south-easterly by said land now or late of said Buxton about two hundred feet to said boundary line dividing said town and city; then turning and running north-easterly by said boundary line to the point of beginning; is hereby set off from the town of Peabody and annexed to the city of Salem.

Parcel of land in Peabody annexed to Salem.

Approved March 27, 1882.

AN ACT TO AMEND AND CONFIRM THE ARTICLES OF ASSOCIATION OF SAINT ELIZABETH'S HOSPITAL, AND TO CHANGE ITS CORPORATE NAME.

Chap. 115

Be it enacted, etc., as follows:

SECTION 1. The articles of association of the Saint Elizabeth's Hospital for Women, recorded with Suffolk deeds, book ten hundred and eighty-nine, page two hundred and eighty-nine, are amended by striking out the

Name changed.

words "for sick women" where they occur in the statement of the purpose of said corporation, so that hereafter its benefits shall not be limited to females; and said corporation shall be hereafter known as Saint Elizabeth's Hospital of Boston.

Certain acts
ratified.

SECTION 2. Said articles of association as amended by the preceding section are hereby ratified and confirmed; but nothing therein shall operate to deprive the supreme judicial court of its equity jurisdiction in the event of a dissolution of said corporation. All acts and proceedings of said corporation so far as they may have been defective or invalid by reason of any provisions contained in said articles regarding the manner and effect of a dissolution are ratified and confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved March 27, 1882.

Chap. 116 AN ACT TO ALLOW THE INTERNATIONAL TRUST COMPANY TO MAKE
ADDITIONAL INVESTMENTS.

Be it enacted, etc., as follows:

May make
additional
investments.

SECTION 1. The International Trust Company, incorporated by chapter one hundred and fifty-two of the acts of the year eighteen hundred and seventy-nine, may, in addition to the investments it is now authorized by law to make, invest its deposits in the authorized loans of the United States, or any of the New England states; in the authorized loans of any of the counties, cities or towns in any of the New England states; in the first mortgage bonds of any railroad corporation which has earned and paid regular dividends for two years next preceding such investment, or in the bonds of any such railroad corporation as is unencumbered by mortgage, or in the stock of such railroad corporations incorporated by this Commonwealth; in the stock of national banks organized within this Commonwealth; in the notes of manufacturing corporations incorporated by any of the New England states, unencumbered by mortgage, which have earned and paid dividends for two years next preceding; may make loans on the notes of individuals for a period not exceeding four months, with a pledge of the bonds of any city of the United States containing more than one hundred thousand inhabitants, whose net indebtedness does not exceed five per cent. of the valuation of the taxable property therein, to be ascertained by the last preceding city valuation for the assessment of taxes; and may also invest such depos-

its in any other securities in which savings banks now are or hereafter may be allowed to invest.

SECTION 2. Section four of chapter one hundred and fifty-two of the acts of the year eighteen hundred and seventy-nine is amended by adding the word "executor" after the words "any administrator," in the first line thereof.

Amendment to 1879, 152, § 4.

SECTION 3. This act shall take effect upon its acceptance by the International Trust Company.

Subject to acceptance.

Approved March 27, 1882.

AN ACT TO EXTEND THE TIME DURING WHICH THE CITY OF WORCESTER IS AUTHORIZED TO BUY AND HOLD CERTAIN LAND FOR A PUBLIC PARK AND A RESERVOIR.

Chap. 117

Be it enacted, etc., as follows:

SECTION 1. The city of Worcester by its city council at any time within two years from the fifteenth day of April in the year eighteen hundred and eighty-two, may buy and hold for the purposes named in chapter one hundred and ninety-six of the acts of the year eighteen hundred and seventy-three the land therein described.

Time for buying land for park and reservoir extended.

SECTION 2. This act shall take effect upon its passage.

Approved March 27, 1882.

AN ACT TO AMEND "AN ACT TO AUTHORIZE THE HARTFORD AND CONNECTICUT VALLEY RAILROAD COMPANY TO BUILD A RAILROAD IN MASSACHUSETTS."

Chap. 118

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and sixteen of the acts of the year eighteen hundred and eighty-one is hereby amended by inserting at the end thereof the words "and *provided, also,* that the said railroad may be constructed under two locations, the first one of which shall extend from said point in the dividing line between Massachusetts and Connecticut to the line of the Boston and Albany Railroad in said West Springfield; and the other shall extend from said first location across said Boston and Albany Railroad to the said Connecticut River Railroad at said Holyoke, *provided, also,* that said railroad shall not be located or constructed across Park Street, Park Avenue, or the Park or Common between said thoroughfares, in said West Springfield, at any point within twenty-five hundred feet of the west bank of the Connecticut River. All provisions of law now or hereafter in force relating to the building of railroads shall apply

Locations under which road may be constructed.

Proviso.

to each of said locations independent of the other: *provided*, that any provision which requires said company to pay any money or fee to the secretary of the Commonwealth shall apply to but one of said locations."

Amendment to
1881, 116, § 3.

SECTION 2. Section three of said chapter is hereby amended by striking out in the second line thereof the words "and no bonds."

May secure
bonds by mort-
gage of fran-
chise and
property.

SECTION 3. The said Hartford and Connecticut Valley Railroad Company may secure any bonds it may issue under the authority of its charter granted by the General Assembly of the State of Connecticut, by mortgage of the franchise granted to it by said act, and of the property, rights and easements which it may acquire thereunder in this Commonwealth; and the mortgage executed by said company to the treasurer of the State of Connecticut, bearing date the fourth day of June in the year eighteen hundred and eighty-one, and recorded in the office of the secretary of state at Hartford in said state, whereby said company amongst other things conveyed certain property and rights thereafter to be acquired in this Commonwealth, as in said mortgage set forth, to the said treasurer and his successors in office, in trust to secure certain bonds thereafter to be issued, is hereby confirmed so far as relates to the laws of this Commonwealth, and shall be operative to cover and bind the franchise granted by said act and the property, rights and easements in this Commonwealth which said mortgage purports to convey whenever the same shall be acquired by said railroad company, and to secure the bonds described in said mortgage in manner and form as therein described, as fully as if said property, rights and easements had been acquired at the time said mortgage was given and said mortgage had been given under the authority of the legislature of this Commonwealth; and authority is hereby given to said company to issue under said mortgage an amount of bonds not exceeding in the aggregate one million dollars. Said mortgage shall be recorded in the registry of deeds for the county of Hampden.

Amendment to
1881, 116, § 5.

SECTION 4. Section five of said chapter is amended by striking out in the third line thereof, after the word "located," the words "within two years and" and inserting in the place thereof the words "to the line of the Boston and Albany Railroad within two years, the remainder of the road is located within three years and the whole road is."

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

Approved March 27, 1882.

AN ACT TO INCORPORATE THE SPENCER WATER COMPANY.

Chap. 119

Be it enacted, etc., as follows:

SECTION 1. William Upham, Emerson Stone, Erastus Jones, Richard Sugden, John E. Bacon, David Prouty, Charles N. Prouty, Isaac L. Prouty, Fields M. Prouty, Henry R. Green, David A. Drury, J. W. Temple, Horace A. Grout, Edward E. Kent, Thomas J. Comins, David H. Barnes, Charles M. Tripp, their associates and successors, are hereby made a corporation by the name of the Spencer Water Company, for the purpose of furnishing the inhabitants of Spencer with water for the extinguishment of fires, and for domestic and other purposes, with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in the general laws which now are or hereafter may be in force applicable to such corporations.

Corporators.

Name and purpose.

Powers and duties.

SECTION 2. Said corporation may take, hold and convey into and through the town of Spencer, or any part thereof, so much of the waters as may be necessary for carrying out the purposes of this act of any natural pond, brook or river within the limits of said town of Spencer, or of Shaw Pond in the town of Leicester; and may take and hold by purchase or otherwise any real estate necessary for the preservation and purity of the same, or for forming any dams or reservoirs to hold the same, and for laying and maintaining aqueducts and pipes for distributing the waters so taken and held; and may lay its water pipes through any private lands, with the right to enter upon the same and dig therein for that purpose, and for the purpose of making all necessary repairs; and may carry its pipes under or over any watercourse, railroad, highway or other way, under the direction of the selectmen or road commissioners, and in general may do any other acts necessary or proper for carrying out the purposes of this act.

May take waters in Spencer and of Shaw Pond in Leicester.

SECTION 3. Said corporation shall, within sixty days after taking any land under the provisions of this act, file and cause to be recorded in the registry of deeds for the county of Worcester a description of any land so taken, sufficiently accurate for identification, with a statement of the purpose for which it is so taken, and shall also notify the owner of any such land of the taking thereof; and the title of the land so taken shall then vest in said corporation. Any person injured in property by any act of said corporation, and failing to agree with said corporation

To file and have recorded in registry of deeds a description of the land taken.

Liability for damages.

as to the amount of damages, may have the same assessed and determined in the manner provided when land is taken for highways; but no application shall be made for the assessment of damages for the taking of water rights until the water is actually taken or diverted by said corporation; any person whose water rights are thus taken or impaired may apply as aforesaid at any time within two years from the time when the water is actually taken or diverted, but not thereafter; and no suit for damage done under this act shall be brought after two years from the date of the receipt of the alleged injury. In case said corporation shall take from any mill owner the water used for running his mill, and cannot agree with him as to the amount of damages to be paid therefor, said corporation shall have the right to build compensating reservoirs to furnish such mill owner with other water, the value of which shall be in full or in part payment for any claim said mill owner may make for damages received from the acts of this corporation; and for that purpose said corporation may take and hold lands in the manner herein provided for taking other lands.

May distribute water and fix water rates.

SECTION 4. Said corporation may distribute the water through said town of Spencer, and may establish and fix from time to time the rates for the use of said water, and collect the same; and may make such contracts with said town, or any fire district that may be hereafter established therein, or with individuals, to supply water for the extinguishment of fires or for other purposes, as may be agreed upon between said town or such fire district or individuals and said corporation.

Real and personal estate and capital stock.

SECTION 5. Said corporation for the purposes set forth in this act may hold real and personal estate not exceeding in value one hundred thousand dollars, and its whole capital stock shall not exceed two hundred thousand dollars, to be divided into shares of one hundred dollars each.

Penalty for diverting water or rendering it impure.

SECTION 6. If any person shall use any water taken under authority of this act without the consent of said corporation, or shall wantonly or maliciously divert any water so taken, or corrupt the same, or render it impure, or shall destroy or injure any property held, owned, or used by said corporation, he shall forfeit and pay to said corporation three times the amount of damage or injury caused thereby, to be recovered in an action of tort; and on conviction of either of the wanton or malicious acts aforesaid may be punished by a fine not exceeding three

hundred dollars, or by imprisonment in jail not exceeding one year.

SECTION 7. The town of Spencer, or any fire district that may be established therein, shall have the right at any time during the continuance of this charter to purchase the corporate property and all the rights and privileges of said corporation at a price which may be mutually agreed upon between said town or such fire district and said corporation. In case said town or such fire district and said corporation are unable to agree, then the compensation to be paid shall be determined by three commissioners, to be appointed by the supreme judicial court, upon application by either party, notice being given to the other, whose award when accepted by said court shall be final. This right of purchase and sale is granted on the condition that such purchase is agreed to by two-thirds of the voters of said town, or such fire district therein, present and voting thereon at any legally called meeting, notice having been given in the warrant for said meeting that action would be taken on this matter.

Property may be purchased by town, etc.

Subject to a two-thirds vote of the town.

SECTION 8. The Spencer Water Company may issue bonds and secure the same by a mortgage on its works, structures, equipments, franchise and other property, real or personal, to an amount which shall not exceed the capital stock of said corporation actually paid in and applied to the construction or completion of its works or the purchase of real and personal property therefor.

Company may issue bonds.

SECTION 9. Any owner of land or water rights taken under this act, upon application for an estimate of damages, may require said corporation to give security satisfactory to the board of selectmen of the town of Spencer for the payment of all damages and costs which may be awarded him for the land or other property taken; and if upon the petition of such owner, with notice to the adverse party, the security appears to the selectmen to have become insufficient, they shall require said corporation to give further security to their satisfaction, and all the right or authority of the corporation to enter upon and use said land and other property, except for making surveys, shall be suspended until it gives the security required.

May be required to give security for payment of damages.

SECTION 10. This act shall be null and void unless said corporation shall within three years from the passage hereof avail itself of its provisions and commence a prosecution of the work herein authorized.

Work to be commenced within three years.

SECTION 11. This act shall take effect upon its passage.

Chap. 120 AN ACT TO CONFIRM CERTAIN PROCEEDINGS OF THE NOTRE DAME ACADEMY IN BOSTON, AND TO PROVIDE FOR A MEETING OF SAID CORPORATION.

Be it enacted, etc., as follows :

Proceedings ratified and confirmed.

SECTION 1. The proceedings of the Notre Dame Academy, a corporation organized under articles of association recorded with Norfolk deeds, book three hundred and thirty-five, page one hundred and twenty-one, and located in that part of Boston which was formerly Roxbury, relating to the election of its members and officers, are hereby ratified and confirmed, any defects or informalities therein to the contrary notwithstanding.

Certain officers authorized to perform duties.

SECTION 2. Charlotte Mackenzie, as president and treasurer, and Catherine Althoff, as secretary, are authorized to perform their respective duties as such officers until their successors are chosen and qualified. A meeting of said corporation may be called by either of said officers by a notice setting forth the time, place and purposes of such meeting, which notice shall be delivered or mailed to all the members of said corporation at least seven days previous to the time appointed for such meeting.

SECTION 3. This act shall take effect upon its passage.

Approved March 27, 1882.

Chap. 121 AN ACT TO PROVIDE FOR THE EXCHANGE OF THE COMMONWEALTH'S STOCK IN THE BOSTON AND ALBANY RAILROAD COMPANY FOR BONDS OF SAID CORPORATION.

Be it enacted, etc., as follows :

Shares of stock may be exchanged for bonds.

SECTION 1. The treasurer of the Commonwealth shall assign to the Boston and Albany Railroad Company all the shares of the capital stock of said corporation which are owned by the Commonwealth, or which belong to funds over which said Commonwealth has exclusive control, in exchange for bonds of said corporation, such as are hereinafter described, at the rate of one hundred and sixty dollars in such bonds at their face value for each share of stock, and thereupon said corporation shall hold and dispose of the shares of stock so assigned to it as its absolute property.

Company may issue bonds.

SECTION 2. For the purpose of purchasing said shares the Boston and Albany Railroad Company may issue bonds for one thousand dollars each or for such multiples of one thousand dollars as the treasurer of the Commonwealth may request, to the required amount, either with interest coupons attached, or registered, payable, with interest semi-

annually at the rate of five per centum per annum, in twenty years from date.

SECTION 3. After the assignment of said shares of stock to said corporation the Commonwealth shall not be represented in the board of directors of said corporation.

Commonwealth not to be represented in board of directors.

SECTION 4. This act shall take effect upon its passage, and said shares shall be assigned as hereinbefore provided whenever this act shall have been accepted by a majority of votes cast at a meeting of the stockholders of said corporation called for the purpose; but said assignment whenever made shall take effect as of the first day of April in the year eighteen hundred and eighty-two, and said bonds shall bear that date: *provided, however,* that the stock now owned by the Commonwealth shall not be voted upon at said meeting.

Subject to acceptance by stockholders.

Stock of Commonwealth not to be voted on.

Approved March 28, 1882.

AN ACT TO INCORPORATE THE DENNIS AND YARMOUTH IMPROVEMENT COMPANY.

Chap. 122

Be it enacted, etc., as follows:

SECTION 1. The owners of the meadow lands flowed by Chase Garden River in the towns of Dennis and Yarmouth, extending from the so called New Boston Bridge in said town of Dennis to the mouth of said Chase Garden River, and bounded by the uplands and the dikes already built, are hereby made a corporation by the name of the Dennis and Yarmouth Improvement Company, with power to erect and maintain a dike or dam across said Chase Garden River at or near its mouth, with one or more sluice-ways and gates for the purpose of draining and improving said meadows and preventing flowage by the sea. Said corporation shall have all other powers and privileges and be subject to all the duties, restrictions and liabilities set forth in the general laws which now are or hereafter may be in force relating to such corporations, unless otherwise specially provided by this act.

Owners of certain meadow lands incorporated.

Powers and duties.

SECTION 2. Any justice of the peace upon application in writing from five or more of said owners shall issue his warrant to one of the owners aforesaid, requiring him to notify and warn a meeting of said owners for the purposes to be expressed in said warrant, by posting copies of said warrant in at least one public place in the town of Dennis and the town of Yarmouth, seven days at least before the time of said meeting; and said owners when legally assembled as aforesaid may adopt by-laws for the government of said corporation, and may also choose a clerk, treasurer, assessors and a collector, who shall be sworn to the faith-

First meeting of corporators.

ful discharge of their respective duties, and shall continue in office until others are chosen and sworn in their stead, which said officers may exercise the same power and authority in performing the duties of their appointment as town officers of like description.

Liability for damages.

SECTION 3. All damages sustained by any person or corporation in consequence of the carrying into effect of the purposes of this corporation shall be ascertained, determined and recovered in the same manner as is now provided in cases where land is taken for highways.

May remove obstructions from channel.

SECTION 4. In addition to the powers already granted, said corporation shall have power to remove any obstructions in channels of said marsh which may thereafter accumulate, whereby the drainage of its said meadow lands is obstructed and prevented, and to vote and raise money for said purposes, and for all other necessary expenses of said corporation; and all moneys which may be voted to be raised as aforesaid shall be assessed upon each proprietor in said meadows according to the number of acres owned by him and the benefits likely to be received. Any owner who is aggrieved by the amount of tax levied on his land may, at any time within thirty days after said assessment, appeal to the county commissioners for the county of Barnstable, who shall have power to reduce or increase the amount of said tax, and make the same as said corporation should have made it under the provisions of this act; and if any owner neglects or refuses to pay the sum assessed upon him as aforesaid for sixty days after demand therefor, so much of his land may be sold as will be sufficient to pay the same, together with the costs, in the same way and manner as land of non-resident owners in this Commonwealth is sold to pay taxes; but nothing herein contained shall authorize arrest of person or the sale of any property except said meadow lands. All sums for which judgment may be recovered by any party against said corporation shall be assessed upon each proprietor, and collected in the same manner as moneys voted to be raised for other purposes under this section.

Remedy for owner aggrieved.

Amount of judgment recovered to be assessed upon proprietors.

May conduct fisheries and introduce and propagate fish.

SECTION 5. Said corporation shall have the exclusive right to conduct the fisheries at and about said dam and sluice-way, and may introduce and propagate any kind of fish.

When to take effect.

SECTION 6. This act shall not take effect until the owners of two-thirds of all the meadow lands included herein shall have expressed in writing their acceptance hereof, which instrument of acceptance, together with the

oath of at least three of said owners that in their belief the owners of two-thirds of all of said meadow lands have signed the same, shall be filed in the office of the secretary of the Commonwealth, and the certificate of said secretary that such instrument has been so filed shall be *prima facie* evidence of such acceptance. *Approved March 28, 1882.*

AN ACT TO AUTHORIZE THE TOWN OF WAYLAND TO RAISE ADDITIONAL FUNDS TO EXTEND AND COMPLETE ITS WATERWORKS.

Chap. 123

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland, for the purposes named in chapter eighty of the acts of the year eighteen hundred and seventy-eight, may issue notes, bonds or scrip from time to time, signed by the treasurer and countersigned by the chairman of the selectmen, to be denominated on the face thereof "Wayland Water Loan," to an amount not exceeding five thousand dollars, in addition to the amount authorized by section four of said chapter eighty, and in the manner provided in said section.

Wayland
water loan.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1882.

AN ACT TO AUTHORIZE THE TOWN OF ANDOVER TO PAY CERTAIN BOUNTIES.

Chap. 124

Be it enacted, etc., as follows:

SECTION 1. The town of Andover is authorized in the manner provided in section two of this act to raise by taxation a sum of money not exceeding sixty-five hundred dollars, and appropriate the same to the payment of a bounty of one hundred and twenty-five dollars to each soldier and the legal representatives of each deceased soldier of Company H, of the First Regiment of Heavy Artillery, Massachusetts Volunteers, who re-enlisted in the service of the United States as a veteran under the call of the president of the United States dated October seventeenth, eighteen hundred and sixty-three, and was credited to said town, and has never received any bounty for re-enlistment from said town: *provided*, that said town shall not be re-imbursed by the Commonwealth for any money paid under authority of this act.

May pay certain
bounties to
soldiers and
their legal
representatives.

SECTION 2. At any legal meeting of said town called for the purpose a vote may be taken on the question of raising such money and appropriating the same to the payment of such bounties. The check list shall be used at

Subject to
acceptance by
vote of the
town.

such meeting and the polls shall be kept open at least four hours. The vote shall be by separate ballot, and the ballots shall be "Yes," or "No," in answer to the question: "Will the town pay a bounty of one hundred and twenty-five dollars to each soldier and the legal representatives of each deceased soldier of Company H, of the First Regiment of Heavy Artillery, Massachusetts Volunteers, who re-enlisted as a veteran under the call of the president of the United States dated October seventeenth, eighteen hundred and sixty-three, and was credited to the town, and has never received any bounty for re-enlistment from the town, and raise the sum of sixty-five hundred dollars and appropriate the same to the payment of said bounties?"

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1882.

Chap. 125 AN ACT AUTHORIZING THE APPOINTMENT OF ADDITIONAL PROBATION OFFICERS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Additional probation officers may be appointed.

SECTION 1. The mayor and aldermen of the city of Boston may, if in their judgment it seems proper so to do, appoint two additional probation officers in the manner and subject to the provisions prescribed in section seventy-eight of chapter two hundred and twelve of the Public Statutes.

Amendment to P. S. 212, § 78.

SECTION 2. Section seventy-eight of chapter two hundred and twelve of the Public Statutes is hereby amended by striking out in the second line the words "annually in the month of May and." *Approved March 28, 1882.*

Chap. 126 AN ACT TO INCORPORATE THE BOSTON LIGHT INFANTRY VETERAN CORPS.

Be it enacted, etc., as follows:

Corporators.

SECTION 1. John C. Whiton, Samuel A. Green, William H. Jackson, Fred R. Shattuck, William G. Train, John D. Lilley, L. H. Baldwin, Joshua M. Cushing, Cornelius G. Attwood, Warren S. Davis, James C. Laughton, Charles H. Allen, John K. Hall, Charles W. Wilder, Louis N. Tucker, D. W. Wardrop, their associates and successors, are hereby constituted a corporation by the name of the Boston Light Infantry Veteran Corps, with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in the general laws which now are or hereafter may be in force applicable to such corporations.

Name.
Powers and duties.

SECTION 2. The objects of the corporation shall be to afford pecuniary relief to aged, reduced and indigent members, and their widows and children, and to promote social union and patriotic fellowship among the members, and to preserve and keep alive the recollections of past services in the Boston Light Infantry.

To afford relief to aged and indigent members, etc.

SECTION 3. The said corporation shall have power to hold property real and personal to an amount not exceeding twenty thousand dollars.

Real and personal property.

SECTION 4. The members of said corporation may parade in public with side arms.

Approved March 28, 1882.

AN ACT RELATING TO JUVENILE OFFENDERS.

Chap. 127

Be it enacted, etc., as follows :

SECTION 1. No court or magistrate shall commit any child under twelve years of age to a jail or house of correction, to the house of industry of the city of Boston, or to the state workhouse, in default of bail, for non-payment of fine or costs, or both, or for punishment for any offence not punishable by imprisonment for life, of which said child may have been adjudged guilty.

Child under twelve years not to be committed to jail, etc., in default of bail, etc., for offence not punishable by imprisonment for life.

SECTION 2. Whenever any child under twelve years of age is held by any court or magistrate for examination or trial, and said child is unable to furnish bail for such examination or trial, such court or magistrate shall commit said child to the custody of the state board of health, lunacy and charity; and said board is authorized to make all proper provisions for the safe keeping of said child, and for his presence at the examination or trial for which he is held, at the time and place named in the mittimus.

Such child to be committed to custody of state board of health, etc.

SECTION 3. When a complaint is made to any court or magistrate of any offence, not punishable by imprisonment for life, committed by a child under twelve years of age, such court or magistrate, if an examination is deemed necessary, shall, in the first instance, issue a summons to said child requiring his presence before such court or magistrate at the time and place named in said summons; and if said child fails then and there to appear as directed in said summons, such court or magistrate shall then issue a warrant for the arrest of said child.

Summons to be issued, and if child fails to appear, a warrant for arrest to be issued.

SECTION 4. The provisions of this act shall not apply to either of the offences mentioned in section ten of chapter forty-eight of the Public Statutes.

Not to apply to offences mentioned in P. S. 48, § 10.

Approved March 28, 1882.

Chap. 128 AN ACT TO AUTHORIZE THE AMES MANUFACTURING COMPANY TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows:

May increase capital stock.

SECTION 1. The Ames Manufacturing Company, incorporated by chapter thirty-one of the acts of the year eighteen hundred and thirty-four, is authorized to increase its capital stock by an amount which, together with the capital stock heretofore authorized, shall not exceed in the aggregate five hundred thousand dollars, and to invest such increase in the capital stock in real and personal estate necessary and convenient for carrying on the business of said corporation.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1882.

Chap. 129 AN ACT TO ESTABLISH THE SALARY OF THE JUDGE OF PROBATE AND INSOLVENCY FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

Salary established.

SECTION 1. The judge of probate and insolvency for the county of Middlesex, from and after the first day of January in the year eighteen hundred and eighty-two, shall receive an annual salary of three thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1882.

Chap. 130 AN ACT REGULATING THE INVESTMENT OF THE FUNDS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Investment of funds of the Commonwealth.

SECTION 1. In addition to the securities authorized by the provisions of section sixty of chapter sixteen of the Public Statutes for the investment of funds over which the Commonwealth has exclusive control, moneys belonging to such funds may be invested in the bonds or notes of any incorporated district in this Commonwealth or of any city of the states of Maine, New Hampshire, Vermont, Rhode Island or Connecticut, issued for municipal purposes, whose net indebtedness at the time of purchase does not exceed five per cent. of the last preceding valuation of the property therein for the assessment of taxes; or in the notes of any corporation established within this Commonwealth to become due in one year or less time if secured by a pledge of bonds of the United States or of this Commonwealth to at least an equal amount estimating the bonds at not more than eighty-five per centum of their market value.

SECTION 2. This act shall take effect upon its passage.

Approved March 30, 1882.

AN ACT CEDING TO THE UNITED STATES JURISDICTION OVER CERTAIN LAND FOR THE FISH AND FISHERIES COMMISSION. *Chap. 131*

Be it enacted, etc., as follows:

The fourth section of the first chapter of the Public Statutes is amended by inserting after the word "navigators," in the sixth line thereof, the words "or for the use of the United States Fish and Fisheries Commission."

Jurisdiction
ceded to the
United States.

Approved March 30, 1882.

AN ACT RELATING TO THE DESCENT OF THE REAL ESTATE OF ILLEGITIMATE CHILDREN. *Chap. 132*

Be it enacted, etc., as follows:

Section four of chapter one hundred and twenty-five of the Public Statutes, relating to the descent of the real estate of illegitimate children, is amended by adding thereto the following words: "or in case she is not living, to the persons who would have been entitled thereto by inheritance through his mother if he had been a legitimate child."

Descent of real
estate.

Approved March 30, 1882.

AN ACT RELATIVE TO THE PAYMENT OF INDEBTEDNESS BY CITIES AND TOWNS. *Chap. 133*

Be it enacted, etc., as follows:

SECTION 1. Any city or town required by chapter twenty-nine of the Public Statutes to establish a sinking fund for the payment of its indebtedness may, instead thereof, by a majority vote provide for the payment of such indebtedness in such annual proportionate payments as will extinguish the same within the time prescribed in said chapter; and when such vote has been heretofore or shall be hereafter passed, the amount required thereby shall, without further vote, be assessed by the assessors in each year thereafter, until the debt shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

May by vote
provide for an-
nual propor-
tionate pay-
ments, instead
of establishing
sinking funds.

SECTION 2. The return required by section ninety-one of chapter eleven of the Public Statutes shall state the amount of any sinking fund established, and if not so established whether action has been taken in accordance with the provisions of the preceding section and the amounts raised and applied thereunder for the current year.

Returns to be
made.
P. S. 11, § 91.

SECTION 3. This act shall take effect upon its passage.

Approved March 30, 1882.

Chap. 134 AN ACT CONCERNING THE DEPOSIT OF MONEY IN LIEU OF FURNISHING SURETIES IN CRIMINAL CASES.

Be it enacted, etc., as follows:

Deposit of money in lieu of furnishing sureties in criminal cases.

SECTION 1. When a person arrested on criminal process has been ordered to recognize with surety or sureties for his appearance before any court or trial justice he may, instead of giving sureties, at any time give his personal recognizance and deposit the amount of the bail which he is ordered to furnish with the court, trial justice, or magistrate authorized by law to take such recognizance, and such court, trial justice, or magistrate shall give him a certificate thereof, and upon delivering said certificate to the officer in whose custody he is he shall be discharged from custody.

Money to be deposited with clerk, etc.

SECTION 2. Such court, trial justice, or magistrate on the receipt of such deposit shall at once deposit the same with the clerk of the court or with the trial justice before whom such person recognized to appear, and in case such court has no clerk with the justice of said court.

Repeal of P. S. 212, § 68.

SECTION 3. Section sixty-eight of chapter two hundred and twelve of the Public Statutes is repealed.

SECTION 4. This act shall take effect upon its passage.

Approved April 5, 1882.

Chap. 135 AN ACT PROVIDING FOR APPEALS FROM THE COUNTY COMMISSIONERS TO THE BOARD OF RAILROAD COMMISSIONERS IN CERTAIN CASES.

Be it enacted, etc., as follows:

Decision of county commissioners relative to crossing of ways or severance of private lands by railroads.

SECTION 1. Any party aggrieved by the decision or order of the county commissioners in any matter or proceeding arising under section one hundred and twenty-nine and section one hundred and thirty-eight of chapter one hundred and twelve of the Public Statutes may appeal therefrom to the board of railroad commissioners.

Appeals to railroad commissioners.

SECTION 2. If the county commissioners unreasonably refuse or neglect, for sixty days after the first day fixed for hearing the parties in any such matter or proceeding, to announce a decision thereon, thereupon any party aggrieved by such refusal or neglect may appeal to the board of railroad commissioners.

Notice of appeal to be filed.

SECTION 3. An appeal shall be claimed by filing with the county commissioners, within ten days after the making of the decision or order appealed from, or the expiration of sixty days from the first day fixed for hearing in cases of refusal or neglect, a notice of appeal, and thereupon all proceedings before the county commissioners in such matter or proceeding shall be stayed.

SECTION 4. The appellant, to perfect the appeal, shall, within twenty days after the filing of the notice of appeal, file with the clerk of the board of railroad commissioners a petition setting forth the reasons of appeal, and within ten days after the filing of the petition cause a certified copy thereof to be served upon the county commissioners. If the appellant fails to perfect the appeal as herein required, thereupon proceedings may be had before the county commissioners as if no appeal had been taken.

Petition setting forth reasons of appeal to be filed with railroad commissioners.

SECTION 5. An appeal may be waived at any time before a hearing thereon, by agreement of the parties, in writing, filed with the county commissioners and the board of railroad commissioners, and thereupon proceedings may be had before the county commissioners as if no appeal had been taken.

Waiver of appeal.

SECTION 6. The board of railroad commissioners shall, in matters and proceedings to which this act relates, have the same powers vested in, and perform the same duties required of, the county commissioners in like matters and proceedings; and all provisions of law relating to hearings and determinations by, and decisions and orders of, the county commissioners, in such matters and proceedings, shall apply to hearings and determinations by, and decisions and orders of, the board of railroad commissioners in such matters and proceedings under this act.

Powers of railroad commissioners.

SECTION 7. The hearings before the board of railroad commissioners in matters and proceedings to which this act relates shall be had in the county where the appeal is taken, unless the parties, in writing, otherwise agree.

Hearing to be had in county where appeal is taken.

Approved April 5, 1882.

AN ACT IN RELATION TO THE NORMAL SCHOOL OF THE CITY OF BOSTON.

Chap. 136

Be it enacted, etc., as follows:

SECTION 1. The school committee of the city of Boston may provide instruction in the principles and methods of teaching for the benefit of teachers in the service of said city, said instruction to be given in connection with the normal school of said city.

Teachers may be taught in the normal school.

SECTION 2. The action of the school committee of said city heretofore in providing instruction for the benefit of teachers in the service of said city is ratified, confirmed and made valid to the same extent as if this act had been passed prior to such action.

Action of school committee confirmed.

SECTION 3. This act shall take effect upon its passage.

Approved April 5, 1882.

Chap. 137 AN ACT TO AUTHORIZE THE NEW ENGLAND CONSERVATORY OF MUSIC TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

May hold additional real and personal estate.

SECTION 1. The New England Conservatory of Music, a corporation established by chapter one hundred and three of the acts of the year eighteen hundred and seventy, is authorized to hold real and personal estate to the amount of five hundred thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 5, 1882.

Chap. 138 AN ACT IN RELATION TO THE CHARLES RIVER AND WARREN BRIDGES.

Be it enacted, etc., as follows:

Interest of the Commonwealth in bridges may be conveyed to the city of Boston.

SECTION 1. The governor with the advice and consent of the council is empowered in the name and on behalf of the Commonwealth to execute, acknowledge and deliver to the city of Boston a good and sufficient instrument transferring to said city and its assigns all the right, title and interest of the Commonwealth in and to the Charles River bridge and Warren bridge, the approaches to the same, the materials of which said bridges are composed, and in and to all things pertaining to said bridges belonging to the Commonwealth. Such transfer shall not be made until there is constructed, subject to the provisions of law and opened for public use at the expense of said city, a new bridge which in the opinion of the governor and council will afford facilities as ample as those provided by the said existing bridges; and upon such transfer the said city may discontinue said now existing bridges or either of them.

No change to be made without consent of commissioners.

SECTION 2. No change shall be made in the piles of said bridges without the approval of the board of harbor and land commissioners.

Taking of tolls not authorized.

SECTION 3. Nothing herein contained shall be construed to grant authority to the city of Boston or its assigns to take tolls on said bridges or on the new bridge which may be constructed.

Approved April 5, 1882.

Chap. 139 AN ACT TO PERMIT WOMEN TO PRACTISE AS ATTORNEYS AT LAW.

Be it enacted, etc., as follows:

Women may practise as attorneys.

The provisions of law relating to the qualification and admission to practise of attorneys at law shall apply to women.

Approved April 10, 1882.

AN ACT RELATING TO DEPOSITIONS TO PERPETUATE THE TESTIMONY OF WITNESSES WITHOUT THE COMMONWEALTH. *Chap. 140*

Be it enacted, etc., as follows:

SECTION 1. Section fifty-four of chapter one hundred and sixty-nine of the Public Statutes is hereby amended, by adding at the end thereof the words: Depositions to perpetuate testimony, etc.

“And shall order such reasonable notice as it shall deem proper to be given to all the persons mentioned therein as adversely interested in the case and living without the Commonwealth.”

SECTION 2. This act shall take effect upon its passage.
Approved April 10, 1882.

AN ACT RELATING TO THE DISTRIBUTION OF THE PERSONAL ESTATE OF MARRIED WOMEN. *Chap. 141*

Be it enacted, etc., as follows:

SECTION 1. When a married woman dies leaving issue and possessed of personal estate not lawfully disposed of by will, such personal estate shall after payment of her debts, funeral expenses, and charges of administration be distributed one-half to her husband, and the other half among the persons who would be entitled to the real estate by the first clause of section one of chapter one hundred and twenty-five of the Public Statutes and in the proportions there prescribed. Disposition of estate of married women.

SECTION 2. This act shall take effect upon the first day of July in the year eighteen hundred and eighty-two.
Approved April 10, 1882.

AN ACT TO INCORPORATE THE REVERE WATER COMPANY. *Chap. 142*

Be it enacted, etc., as follows:

SECTION 1. Andrew Burnham, Theodore Pinkham, E. H. Whorf, A. S. Burnham, James H. Wade, Michael Sullivan, their associates and successors, are made a corporation by the name of the Revere Water Company, for the purpose of furnishing the inhabitants of Revere with water for the extinguishment of fires and for domestic and other purposes, with all the powers and privileges, and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or hereafter may be in force applicable to such corporations. Corporators.

SECTION 2. Said corporation may take, hold and convey through the town of Revere or any part thereof, water from any spring, artesian well or other source of supply within the limits of said town, and may take and hold by purchase or otherwise, any real estate necessary for the Name and purpose.
Powers and duties.
May take and convey water through the town of Revere.

preservation and purity of such water and sources of supply, for forming any dams or reservoirs to hold such water, or for laying and maintaining aqueducts and pipes for distributing the same; and may lay its water pipes through any private lands, with the right to enter upon the same and dig therein for the purpose of making all necessary repairs; and for the object aforesaid may carry its pipes under or over any water-course, street, railroad, street railway, highway or other way, in such a manner as not to obstruct the same; and may, under the direction of the board of selectmen or road commissioners, enter upon and dig up any road or other way for the purpose of laying or repairing aqueducts, pipes or other works, and in general may do any other acts and things necessary, convenient or proper for carrying out the purpose of this act.

To have recorded in the registry of deeds a description of the land taken.

SECTION 3. Said corporation shall, within sixty days after the taking of any land under this act, file and cause to be recorded in the registry of deeds for the county of Suffolk a description of any land so taken, sufficiently accurate for identification, with a statement of the purpose for which it was taken, and shall also notify the owner of any such land of the taking thereof; and the title of land so taken shall vest in said corporation. Any person injured in property by any of the acts of said corporation, and failing to agree with said corporation as to the amount of damages, may have them assessed and determined in the manner provided when land is taken for highways.

May fix water rates.

SECTION 4. Said corporation may distribute the water through said town of Revere; may establish and fix from time to time rates for the use of such water, and collect the same; and may make such contracts with said town, or any other town, or with any city, corporation or individual to supply water for fire or other purposes as may be agreed upon by such town, city, corporation, or individual and said corporation.

Real and personal estate and capital stock.

SECTION 5. Said corporation, for the purposes set forth in this act, may hold real and personal estate not exceeding in value fifty thousand dollars; and its whole capital stock shall not exceed seventy-five thousand dollars, to be divided into shares of one hundred dollars each.

Penalty for diverting water or rendering it impure.

SECTION 6. If any person shall use any water taken under the authority of this act without the consent of said corporation, or shall wantonly or maliciously divert any water so taken, or corrupt the same, or render it impure, or shall destroy or injure any dam, aqueduct, pipe, conduit, hydrant, machinery, or other works or property held,

owned or used by said corporation under the authority and for the purposes of this act, he shall forfeit and pay to said corporation three times the amount of damage or injury caused thereby, to be recovered in an action of tort; and on conviction of either of the wanton or malicious acts aforesaid may be punished by a fine not exceeding three hundred dollars, or by imprisonment in jail not exceeding one year.

SECTION 7. The town of Revere shall have the right, at any time during the continuance of this charter, to purchase the corporate property and all the rights and privileges of said corporation at a price which may be mutually agreed upon by said town and said corporation. In case said town and said corporation are unable to agree, then the compensation to be paid shall be determined by three commissioners, to be appointed by the supreme judicial court upon application by either party, notice being given to the other, whose award when accepted by said court shall be final. This right of purchase and sale is granted on the condition that such purchase is assented to by two-thirds of the voters of said town present and voting thereon at any legally called meeting, notice having been given in the warrant for such meeting that action would be taken on this matter.

Town may purchase corporate property at any time.

SECTION 8. The Revere Water Company may issue bonds and secure the same by a mortgage on its works, structures, equipments, franchise and other property, real or personal, to an amount which shall not exceed the capital stock of said corporation actually paid in and applied to the construction or completion of its works.

Company may issue bonds and secure the same by mortgage.

SECTION 9. Any owner of lands or water rights taken under this act, upon application by either party for an estimate of damages, may require said corporation to give security, satisfactory to the board of selectmen of said town, for the payment of all damages and costs which may be awarded to him for the land or other property taken; and if upon the petition of such owner, with notice to the adverse party, the security at any time appears to the selectmen of said town to have become insufficient, they shall require said corporation to give further security to their satisfaction, and all the right or authority of the corporation to enter upon or use said land and other property, except for making surveys, shall be suspended until it gives the security required.

Liability for damages.

SECTION 10. This act shall be null and void unless said corporation shall within three years from the passage

To commence work within three years.

thereof avail itself of its provisions, and commence the prosecution of the work herein authorized.

SECTION 11. This act shall take effect upon its passage.

Approved April 10, 1882.

Chap. 143 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO TAKE LAND FOR A PUBLIC LIBRARY.

Be it enacted, etc., as follows:

May take land for a public library.

SECTION 1. The city of Boston is hereby authorized and empowered to take and hold by purchase or otherwise, at any time within two years from the passage of this act, so much land within its limits as it may deem necessary for the erection thereon of a public library and for a yard for the same; and said city may appropriate and use therefor any land now owned by it.

To have recorded in the registry of deeds a description of the land taken.

SECTION 2. Said city shall, within thirty days from the time when it shall take any parcel or parcels of land under this act, file in the office of the register of deeds for the county of Suffolk, and cause to be recorded therein, a description of the land so taken as certain as is required in a common conveyance of land, with a statement of the purpose for which said land is taken; which description and statement shall be signed by the mayor of said city. The said city shall be liable to pay all damages that shall be sustained by any person by reason of the taking of land as aforesaid; such damages to be ascertained and determined in the manner provided for ascertaining and determining damages in case of the laying out, altering or discontinuing of ways within the city of Boston.

Law of betterments not to apply.

SECTION 3. The provisions of law in relation to the assessment of betterments shall not be applicable to the taking of land under this act.

SECTION 4. This act shall take effect upon its passage.

Approved April 10, 1882.

Chap. 144 AN ACT TO ESTABLISH THE SALARY OF THE ASSISTANT REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Salary established.

The assistant register of probate and insolvency for the county of Suffolk, from and after the first day of January in the year eighteen hundred and eighty-two, shall receive an annual salary of two thousand dollars.

Approved April 10, 1882.

AN ACT TO INCORPORATE THE GARDNER WATER COMPANY.

Chap. 145

Be it enacted, etc., as follows:

SECTION 1. Solon L. Wiley, George William Ballou, Walter Burnham and Edward C. Cooke, their associates and successors, are made a corporation by the name of the Gardner Water Company, for the purpose of furnishing the inhabitants of Gardner with water for the extinguishment of fires, and for domestic and other purposes, with all the powers and privileges, and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or hereafter may be in force applicable to such corporations.

Corporators.

Name and purpose.

Powers and duties.

SECTION 2. Said corporation for the purpose aforesaid may take, hold and convey into and through the town of Gardner, or any part thereof, the water, so far as may be necessary for the purpose, of any spring or springs, or of Crystal Lake, so called, within said town, and the waters which flow into and from the same, together with any water rights connected therewith; and may take and hold by purchase or otherwise any water rights connected therewith and any real estate necessary for the preservation and purity of such waters, or for forming any dams or reservoirs to hold the same, or for laying and maintaining aqueducts and pipes for distributing the waters so taken and held; and may lay its water pipes through any private lands with the right to enter upon the same and dig therein for the purpose of making all necessary repairs or service connections; and for any of the purposes aforesaid may carry its pipes under or over any water-course, street, railroad, highway or other way, in such manner as not unnecessarily to obstruct the same; and may, under the direction of the selectmen or road commissioners, enter upon and dig up any road or other way for the purpose of laying or repairing its aqueducts, pipes or other works, and in general may do any other acts and things convenient or proper for carrying out the purposes of this act.

May take water of Crystal Lake.

May lay water pipes through private lands.

May enter upon and dig up roads.

SECTION 3. Said corporation shall within sixty days after taking any land or water rights under the provisions of this act, file and cause to be recorded in the registry of deeds for the county of Worcester a description of any land or water rights so taken sufficiently accurate for identification, with a statement of the purposes for which they are so taken, and the title of the land and water rights so taken shall vest in said corporation.

To have recorded in the registry of deeds a description of the land or water rights taken.

SECTION 4. Any person injured in property by any of the acts of said corporation under this act, and failing to

Assessment of damages.

agree with said corporation as to the amount of damages, may have the same assessed and determined in the manner provided when land is taken for highways; but no application shall be made to the county commissioners for the assessment of damages for the taking of water rights until the water is actually taken and diverted by said corporation. Any person whose water rights are thus taken or affected may apply as aforesaid within three years from the time the water is actually taken or diverted, but not thereafter; and no suit for injury done under this act shall be brought after three years from the date of the receipt of the alleged injury.

May establish water rates, etc.

SECTION 5. Said corporation may distribute the water through said town of Gardner; may establish and fix from time to time the rates for the use of said water, and collect the same; and may make such contracts with said town, or any fire district that may hereafter be established therein, or with any individual or corporation, to supply water for the extinguishing of fires or for other purposes, as may be agreed upon by said town or such fire district, individual or corporation and said corporation.

Real estate.

SECTION 6. Said corporation may hold real estate necessary for the purposes set forth in this act; and the whole capital stock shall not exceed one hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each. Said corporation may at any time issue bonds to an amount equal to the capital stock actually paid in, and secure the same by mortgage.

Capital stock and bonds.

Penalty for diverting water or rendering it impure.

SECTION 7. If any person shall use any of the water taken under the authority of this act without the consent of said corporation, or shall wantonly or maliciously divert the water or any part thereof so taken, or corrupt the same, or render it impure, or destroy or injure any dam, aqueduct, pipe, conduit, hydrant, machinery or other works or property held, owned or used by said corporation under the authority of and used for the purposes of this act, he shall forfeit and pay to said corporation three times the amount of damage or injury caused thereby, to be recovered in an action of tort; and on conviction of either of the wanton or malicious acts aforesaid may be punished by a fine not exceeding three hundred dollars, or by imprisonment in jail not exceeding one year.

Company may purchase property of the Gardner Water Works.

SECTION 8. Said corporation may purchase from the Gardner Water Works, or other owner or owners, the aqueducts, pipes, hydrants, machinery, reservoir, pumping station, and other works, property, estate and privileges in said town of Gardner now owned or in process of con-

struction by said Gardner Water Works, and by such purchase shall become entitled to all the rights and privileges and subject to all the liabilities and duties appertaining and belonging to said Gardner Water Works.

SECTION 9. The town of Gardner shall have the right at any time after the expiration of twenty years from the passage of this act to purchase the corporate property and all the rights and privileges of said Gardner Water Company, at a price which may be mutually agreed upon between said corporation and said town; and the said corporation is authorized to make sale of the same to said town. In case said corporation and said town are unable to agree, then the price to be paid shall be determined by three commissioners, to be appointed by the supreme judicial court upon application of either party and notice to the other, whose award when accepted by said court shall be binding upon both parties. This authority to purchase said franchise and property is granted on condition that the same is assented to by said town by a two-thirds vote of the voters present and voting thereon at an annual meeting, or at a legal meeting called for that purpose.

Town may purchase property of the Gardner Water Company.

SECTION 10. Any owner of land or water rights taken under this act, upon application by either party for an estimate of damages, may require said corporation to give security, satisfactory to the county commissioners for the county of Worcester, for the payment of all damages and costs which may be awarded to him for the land or other property taken. If upon petition of such owner, with notice to the adverse party, the security appears to the said county commissioners to have become insufficient, they shall require said corporation to give further security to their satisfaction, and all the right or authority of the corporation to enter upon or use said land and other property, except for making surveys, shall be suspended until it gives the security required.

Liability for damages.

SECTION 11. This act shall take effect upon its passage.

Approved April 10, 1882.

AN ACT TO INCLUDE THE TOWN OF WINTHROP IN THE JUDICIAL DISTRICT OF THE MUNICIPAL COURT OF THE EAST BOSTON DISTRICT.

Chap. 146

Be it enacted, etc., as follows:

SECTION 1. The judicial district of the municipal court of the East Boston district is enlarged so as to include the town of Winthrop.

Town of Winthrop included in district.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1882.

Chap. 147 AN ACT TO ESTABLISH THE BOUNDARY LINE BETWEEN THE TOWNS
OF PETERSHAM AND DANA.

Be it enacted, etc., as follows:

Boundary line
established.

SECTION 1. The boundary line between the towns of Petersham and Dana is established to run as follows, namely: Beginning at the point of intersection of the present boundary line between said towns with the boundary line of the town of New Salem, and thence running in a straight line a little south of east about six hundred and thirty-eight rods to a monument on the westerly side of the Whitney Road, so called; thence easterly in a straight line about four hundred and thirty-two rods to a monument on the east side of the Shattuck Road, so called; thence a little east of south in a straight line about two hundred and ninety-four rods to a monument near the dwelling house now or late of Hosea Carter, on the present boundary line between said towns of Petersham and Dana; and thence on the said present boundary line, as it now runs, to the point of its intersection with the boundary line of the town of Barre.

SECTION 2. This act shall take effect upon its passage.

Approved April 10, 1882.

Chap. 148 AN ACT ESTABLISHING THE SALARIES OF THE CLERKS OF THE
BOARD OF COMMISSIONERS OF SAVINGS BANKS.

Be it enacted, etc., as follows:

Salaries estab-
lished.

SECTION 1. The salary of the first clerk of the board of commissioners of savings banks shall be thirteen hundred dollars a year; the salary of the extra clerk of the board of commissioners of savings banks shall be seven hundred dollars a year.

Repeal.
P. S. 116, § 2.

SECTION 2. So much of section two of chapter one hundred and sixteen of the Public Statutes as relates to clerical assistance is repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 10, 1882.

Chap. 149 AN ACT IN RELATION TO FILING OF LOCATIONS BY RAILROAD
COMPANIES.

Be it enacted, etc., as follows:

Filing of loca-
tions by railroad
companies.

SECTION 1. Chapter one hundred and thirty-five of the acts of the year eighteen hundred and seventy-eight is amended so that the notice to railroad corporations authorized by section one may be given at any time within six months after the passage of this act, and thereupon the

corporation notified shall within one year from such notice file a location of its road or of such portion thereof as the notice requires, with the same effect from the date of filing as if it had been filed under the provisions of said chapter.

SECTION 2. This act shall take effect upon its passage.

Approved April 12, 1882.

AN ACT FOR THE PRESERVATION OF THE HEALTH OF FEMALES EMPLOYED IN MANUFACTURING, MECHANICAL AND MERCANTILE ESTABLISHMENTS.

Chap. 150

Be it enacted, etc., as follows :

SECTION 1. Every person or corporation employing females in any manufacturing, mechanical or mercantile establishment in this Commonwealth shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

Seats to be provided for certain female employees.

SECTION 2. A person or corporation violating any of the provisions of this act shall be punished by fine of not less than ten dollars nor more than thirty dollars for each offence.

Penalty.

Approved April 12, 1882.

AN ACT RELATING TO THE DISPOSAL OF THE REMAINING LANDS OF THE MARSHPEE INDIANS.

Chap. 151

Be it enacted, etc., as follows :

SECTION 1. In addition to the methods provided by section six of chapter two hundred and ninety-three of the acts of the year eighteen hundred and seventy for disposing of the common lands in the town of Mashpee therein mentioned, any justice of the superior court may direct the commissioners appointed under said chapter to appraise all said lands remaining undisposed of, and may authorize the said commissioners to sell at private sale and convey the same, or any portion thereof, to any of the persons authorized to receive the proceeds of sales of said common lands under section one of chapter two hundred and forty-eight of the acts of the year eighteen hundred and seventy-eight, at a price not less than such appraised valuation; and the deeds of said commissioners shall convey valid titles in fee to the respective grantees therein. The said commissioners shall without any further order of the court divide the proceeds of all sales of such lands in conformity with the provisions of said section one.

Disposition of common lands in the town of Mashpee.

SECTION 2. This act shall take effect upon its passage.

Approved April 12, 1882.

Chap. 152 AN ACT TO AUTHORIZE THE CITY OF HOLYOKE TO CONSTRUCT A COMMON SEWER AND PROVIDE FOR THE PAYMENT OF THE COST THEREOF.

Be it enacted, etc., as follows:

May construct
a main drain
or common
sewer.

SECTION 1. The city of Holyoke is authorized to construct a main drain or common sewer in said city, beginning at some convenient point near the intersection of Front Street with Appleton Street, and thence running southerly through so much of the entire remaining length of said Front Street and the land southerly thereof as may be deemed necessary, and emptying into the Connecticut River. Said main drain or common sewer shall be constructed of such material and dimensions and within such time as the mayor and aldermen of said city shall determine.

May borrow
\$50,000.

SECTION 2. For the purpose of constructing said main drain or common sewer the said city is authorized to borrow a sum of money, not exceeding fifty thousand dollars, to be applied towards the cost and expenses incurred by reason thereof; and for said purpose the city council of said city shall have authority to issue notes, scrip, bonds, or certificates of debt, to an amount not exceeding the aforesaid sum, payable in instalments of not less than five thousand dollars each year, and bearing interest at a rate not exceeding six per cent. per annum. Said city council may sell or pledge the same or any part thereof or make any other proper disposition of the same from time to time for the above purpose.

Assessments
for betterments.

SECTION 3. Nothing in this act shall be so construed as to impair any right which said city now has of assessing a proportional part of the charge of making and constructing main drains and common sewers upon every person who enters his particular drain therein, or who by more remote means receives benefit thereby.

SECTION 4. This act shall take effect upon its passage.

Approved April 12, 1882.

Chap. 153 AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO ALTER, IMPROVE AND REPAIR THE HOUSE OF CORRECTION AT CAMBRIDGE.

Be it enacted, etc., as follows:

House of cor-
rection may be
repaired, etc.

SECTION 1. The county commissioners for the county of Middlesex are authorized to alter, improve and repair the house of correction at Cambridge, at an expense not exceeding one hundred thousand dollars, and for said purposes may borrow a sum not exceeding one hundred thou-

sand dollars, and may employ the convicts in said house of correction so far as their labor may be used to advantage.

SECTION 2. In altering, improving and repairing said house of correction, said commissioners shall not be required to let out by contract the labor on said buildings, nor advertise for proposals therefor, as provided in section twenty-two of chapter twenty-two of the Public Statutes.

Not required to have labor done by contract.

SECTION 3. This act shall take effect upon its passage.

Approved April 13, 1882.

AN ACT AUTHORIZING TOWNS AND CITIES TO LAY OUT PUBLIC
PARKS WITHIN THEIR LIMITS.

Chap. 154

Be it enacted, etc., as follows:

SECTION 1. Any town in this Commonwealth which accepts the provisions of this act in the manner hereinafter prescribed may, at a legal meeting called for the purpose, elect three competent persons who shall constitute a board of park commissioners for such town, and may prescribe their terms of office; and the mayor of any city which in such manner accepts said provisions may, with the approval of the city council, as soon as may be after such acceptance, appoint five competent persons who shall constitute a board of park commissioners for such city, and who shall hold their offices until the expiration of terms of one, two, three, four and five years respectively, from the first Monday in May next following such appointment; and the mayor shall, before the first Monday in May in each year thereafter, with like approval appoint one such commissioner to continue in office for five years from the expiration of the term of the commissioner then next outgoing. No person shall be such commissioner who is at the same time a selectman, or other officer of such town, or a member of the city council, clerk or treasurer of such city; and any such commissioner may be removed by a vote of two-thirds of the legal voters of such town, at a legal town meeting called for the purpose, or by a concurrent vote of two-thirds of the whole of each branch of such city council.

Cities and towns may lay out public parks.

Commissioners to be appointed.

SECTION 2. Any vacancy occurring in such board shall be filled for the residue of the term of the commissioner whose place is to be filled in the manner in which such commissioner was originally appointed. Such commissioners shall serve without compensation.

To serve without compensation. Vacancies.

SECTION 3. Such boards of park commissioners shall have power to locate within the limits of their respective towns or cities a public park or parks, and for that purpose from time to time to take in fee by purchase, gift,

Powers and duties.

devise or otherwise, any and all such lands as they may deem desirable therefor, or to take bonds for the conveyance thereof to their respective towns or cities; to lay out and improve any such park or parks; to make rules for the use and government thereof, and for breaches of such rules to affix penalties not exceeding twenty dollars for one offence, to be imposed by any court of competent jurisdiction; to appoint all necessary engineers, surveyors, clerks and other officers, including a police force to act in such parks; to define the powers and duties of such officers and fix the amount of their compensation; and generally to do all acts needful for the proper execution of the powers and duties granted to or imposed upon such town or city or upon such boards by this act: *provided, however*, that no land shall be taken, or any other thing involving an expenditure of money be done under this act until an appropriation sufficient to cover the estimated expense thereof shall in a town have been made by a vote of two-thirds of the legal voters present and voting in a legal town meeting called for the purpose, or in a city by a vote of two-thirds of each branch of the city council; and such expenditures shall in no case exceed the appropriations made therefor, and all contracts made for expenditures beyond the amount of such appropriations shall be void; *provided, further*, that in a town no taking of land otherwise than by purchase shall be valid unless such taking is reported to the town, filed, accepted and allowed, as provided by section seventy-one of chapter forty-nine of the Public Statutes in the case of laying out town ways.

No expense to be incurred until an appropriation is made by a two-thirds vote.

Taking land not valid until accepted by town.

Description of land taken to be recorded in registry of deeds.

Determination of damages.

SECTION 4. Such board shall, within sixty days after the taking of any land under this act, file and cause to be recorded in the registry of deeds for the county or district in which any land so taken is situated a description thereof sufficiently accurate for identifying the same.

SECTION 5. Such boards shall respectively estimate and determine all damages sustained by any person by the taking of land or by other acts of such boards in the execution of the powers vested in them respectively by this act; but a person aggrieved by any such determination of the board may have his damages assessed by a jury of the superior court in the same manner as is provided by law with respect to damages sustained by reason of the laying out of ways. If upon trial damages are increased beyond the award, the party in whose favor the award was made shall recover his costs; otherwise he shall pay costs; and costs shall be taxed as in civil cases.

SECTION 6. The fee of any land taken or purchased by such boards in any town or city for a park under this act shall vest in the town or city in which such park is laid out; and such town or city shall be liable to pay all damages assessed or determined, as provided in the preceding section, and all other costs and expenses incurred by its board of park commissioners in the execution of the powers vested in such board by this act. Any town or city shall also be authorized to take and hold in trust or otherwise any devise, grant, gift or bequest that may be made for the purpose of laying out, improving or ornamenting any park or parks therein.

Fee of land to be vested in city or town.

SECTION 7. The boards of park commissioners in their respective towns and cities shall have the same authority to determine the value of, and assess upon real estate the amount of, betterments accruing to said real estate by the locating and laying out of a park or parks under this act that is conferred by chapter fifty-one of the Public Statutes upon boards of city or town officers authorized to lay out streets or ways; and the provisions of the first eight sections of said chapter relating to ways, shall apply to such assessments by boards of park commissioners in respect to the location and laying out of parks as aforesaid: *provided, however,* that no assessment shall be laid upon any real estate except such as abuts upon the park from the laying out of which the betterment accrues, or upon a street or way bounded by such park.

Assessments for betterments.

Proviso.

SECTION 8. Any town or city in which a public park is laid out under this act may raise, appropriate and expend such sums of money as may be deemed best for the purchase and improvement of such park or parks, subject to the laws of this Commonwealth limiting municipal indebtedness.

May raise money subject to law limiting municipal indebtedness.

SECTION 9. For the purpose of defraying the expenses incurred under the provisions of this act, the city council of any city shall have authority to issue from time to time, and to an amount not exceeding the sum actually expended for the purchase or taking of lands for a park or parks, bonds or certificates of debt, to be denominated on the face thereof the "Public Park Loan," and to bear interest at such rates and to be payable at such times as said city council may determine. For the redemption of such loan such city council shall establish a sinking fund sufficient, with the accumulating interest, to provide for the payment of such loan at maturity. All amounts received for betterments shall be paid into such sinking fund until such fund

"Public Park Loan."

shall amount to a sum sufficient with its accumulations to pay at maturity the bonds for the security of which the fund was established.

Land to be forever maintained as a public park.

SECTION 10. All lands taken or held under this act shall be forever kept open and maintained as a public park or parks. No building covering more than six hundred square feet shall be placed or allowed to remain on any such park; and no street or way, and no steam or horse railroad, shall be laid out over any portion of a park located under this act, except at such places and in such manner as the board of park commissioners shall approve.

Military encampment, etc., not permitted without consent of board.

SECTION 11. No military encampment, parade, drill, review or other military evolution or exercise shall be held or performed on any park laid out as aforesaid except with the consent of such board, nor shall any military body without such consent enter or move in military order within such park, except in case of riot, insurrection, rebellion or war.

Annual reports.

SECTION 12. All such boards of park commissioners shall make reports of their respective doings, including detailed statements of all receipts, expenditures and liabilities for the preceding year; such reports to be made in towns at the annual town meetings, and at such other times as the town may direct, and in cities to the city council annually in the month of December.

When to take effect.

SECTION 13. This act shall not take full effect in any town or city unless accepted by a majority of the legal voters of such town or city present and voting thereon by ballot and using the check list, at a meeting or meetings notice whereof has been duly given at least seven days beforehand. Such ballots shall be "yes" or "no" in answer to the question, "Shall an act passed by the legislature of the Commonwealth in the year eighteen hundred and eighty-two, entitled 'An Act authorizing towns and cities to lay out public parks within their limits,' be accepted?" In a town such meetings shall be called and notified in the manner in which meetings for the election of town officers are called and notified; and in a city meetings to act thereon shall be held at one time in the usual voting places of the city, on such days as shall be designated by the board of aldermen at any regular meeting, and shall be called and notified by the board of aldermen in the manner in which meetings for the election of municipal officers are called and notified. The ballots cast shall be assorted, counted, and public declaration made thereof in open town or ward meeting, and the number of ballots

respectively cast shall be registered in the town or ward records as the case may be. The clerk of each ward in a city shall, within forty-eight hours of the close of the polls, make return to the board of aldermen of the number of ballots cast in his ward in favor of the acceptance of this act and of the number cast against its acceptance. The selectmen and town clerk of a town and the board of aldermen of a city in which such meeting or meetings are held shall certify, as soon as may be thereafter, to the secretary of the Commonwealth, the whole number of ballots cast in favor of the acceptance of this act, and the whole number cast against its acceptance; and if it shall appear that a majority of the ballots have been cast in favor of acceptance, the said secretary shall immediately issue and publish his certificate declaring this act to have been duly accepted by such town or city.

SECTION 14. No second meeting for the purpose of voting upon the question of accepting this act shall be called within twelve months from the first, unless the first meeting shall have failed through illegality or irregularity in the proceedings.

SECTION 15. This act shall take effect upon its passage.

Approved April 13, 1882.

AN ACT TO AUTHORIZE THE CITIES OF BOSTON AND CAMBRIDGE TO CONSTRUCT AND MAINTAIN A BRIDGE OVER CHARLES RIVER.

Be it enacted, etc., as follows:

SECTION 1. The cities of Boston and Cambridge are authorized to construct a bridge and avenue across Charles River, from a point on Beacon Street in Boston, to a point in Cambridge west of the westerly line of the Boston and Albany Railroad. The location of said bridge and avenue shall be determined by the city councils of said cities acting separately, subject to the approval of the board of harbor and land commissioners so far as it affects the harbor, and subject moreover to the limitation that the line thereof shall not be north-east of a line drawn from the junction of Beacon Street and West Chester Park in Boston, to the junction of the harbor line with Front Street, extended, in Cambridge, nor south-west of a line drawn from the junction of Beacon Street, Brookline Avenue and Brighton Avenue in Boston, to the junction of the Boston and Albany Railroad with Putnam Avenue, extended, in Cambridge. Said bridge shall have a draw with a clear opening of at least thirty-eight feet in width for the passage of vessels.

Second meeting not to be called within twelve months from the first.

Chap. 155

Bridge over Charles River between Boston and Cambridge.

Draw to be twenty-eight feet wide.

Materials of structure.

SECTION 2. Said bridge shall be constructed of such materials as the said cities may agree upon, but on iron or stone piers and abutments, to be of such size, shape and construction, and be at such distance from one another, as the said board of harbor and land commissioners upon application made by said cities upon such notice as said board may deem proper, and after a hearing thereon shall determine and certify to each of said cities; and no pier or abutment shall be built except in accordance with such certificate. The avenue, with the exception of the portion between the harbor lines, may be constructed of solid filling, with the approval of the said board of harbor and land commissioners. Neither city separately shall enter upon the construction of said bridge, but they shall jointly proceed to construct the same in accordance with plans to be submitted to and approved by the councils of said cities concurrently, and by the said board of harbor and land commissioners.

Bridge to be built by cities jointly.

Each city may take lands within its own limits.

SECTION 3. Each city may within its own limits purchase or otherwise take lands, not exceeding one hundred and twenty-five feet in width, for said bridge and avenue; and all the proceedings relating to such taking shall be the same as in the case of land taken for highways within said cities respectively, with like remedies to all parties interested; and betterments may be assessed for the construction of said bridge and avenue in each city in like manner as for the laying out of highways under the betterment acts in force in each city respectively, with like remedies to all parties interested.

Distribution of expense of building.

SECTION 4. Each of said cities shall bear the expense, including land damages, of constructing such part of said bridge and avenue as lies upon its own side of the Charles River; but the expense of constructing so much thereof, including the draw, as shall lie between the harbor lines, shall be borne by both cities in such proportion as may be agreed upon by the two cities. The care and management of said bridge and draw shall be vested in a board of commissioners consisting of one person from each city, chosen in accordance with such ordinances as said cities shall respectively establish, and until such commissioners are chosen the mayors of said cities shall *ex officio* constitute such commissioners.

Commissioners to be appointed.

Expense of keeping in repair.

SECTION 5. Said avenue and bridge when completed shall be a public highway, and the expense of maintaining in repair that part thereof which lies between the harbor lines, and of keeping the draw in repair, and of tending

the draw day and night for the passage of vessels, shall be borne equally by the two cities, and all damages recovered by reason of any defect or want of repair in that part of the bridge between the harbor lines, or in the draw, shall be paid equally by said cities.

SECTION 6. Said avenue may cross at grade any railroad operated by steam, and the board of railroad commissioners shall, upon the application of either city or any railroad corporation, prescribe the details of the crossing, and certify to the parties its decision, which decision may be enforced by proper process in equity.

Avenue may cross railroad at grade.

SECTION 7. Each of said cities may issue bonds in payment in whole or in part of the expense incurred by it under this act. Such bonds may bear interest, payable semi-annually, at a rate not exceeding six per cent. per annum, and shall be payable at such time not less than ten nor more than thirty years from their respective dates, as shall be determined by said cities respectively, and expressed upon the face of the bonds. Nothing, however, contained herein shall warrant an increase of municipal indebtedness beyond the limitations prescribed by section four of chapter twenty-nine of the Public Statutes.

Bonds may be issued by each city.

SECTION 8. This act shall be void unless that portion of the bridge between the harbor lines shall be constructed within ten years from the passage hereof.

To be constructed within ten years.

Approved April 14, 1882.

AN ACT TO ESTABLISH THE SALARY OF THE DISTRICT-ATTORNEY FOR THE EASTERN DISTRICT.

Chap. 156

Be it enacted, etc., as follows:

SECTION 1. The salary of the district-attorney for the eastern district shall hereafter be twenty-four hundred dollars a year.

Salary established.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1882.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN ASSISTANT DISTRICT-ATTORNEY FOR THE EASTERN DISTRICT.

Chap. 157

Be it enacted, etc., as follows:

The district-attorney for the eastern district may appoint an assistant district-attorney, removable at his pleasure, to assist him in the performance of his official duties, who shall receive out of the treasury of the county of Essex a salary of one thousand dollars a year, and at that rate for any part of a year.

May appoint an assistant.

Approved April 14, 1882.

Chap. 158 AN ACT RELATING TO THE DISTRIBUTION OF PUBLIC DOCUMENTS.*Be it enacted, etc., as follows :*Amendment to
P.S. 4, § 10.

SECTION 1. Section ten of chapter four of the Public Statutes is hereby amended by inserting the words "and assistant clerks" after the word "clerks" in line two, and after the word "clerks" in line one, paragraph three of said section.

*Approved April 14, 1882.***Chap. 159** AN ACT TO AUTHORIZE THE CITY OF TAUNTON TO INCREASE ITS WATER LOAN.*Be it enacted, etc., as follows :*May increase
water loan.

SECTION 1. The city of Taunton, for the purposes mentioned in section five of chapter two hundred and seventeen of the acts of the year eighteen hundred and seventy-five and chapter seventy-four of the acts of the year eighteen hundred and eighty, may issue notes, scrip, bonds or certificates of debt, to be denominated on the face thereof "Taunton Water Loan," to an amount not exceeding one hundred thousand dollars, in addition to the amounts which said city is now authorized to issue, to be issued upon the same terms and conditions and with the same powers as are provided in said chapter two hundred and seventeen for the issue of bonds of said city: *provided*, that the whole amount of such water scrip, notes, bonds or certificates of debt issued by said city for the purposes of said water loan hereunder and under said chapter two hundred and seventeen and the acts in addition thereto shall not in any event exceed the amount of four hundred and fifty thousand dollars.

Increase not to
exceed \$100,000.

Proviso.

SECTION 2. This act shall take effect upon its passage.

*Approved April 14, 1882.***Chap. 160** AN ACT RELATIVE TO THE FISHERIES IN GRANITE OR GOOSE COVE POND IN THE CITY OF GLOUCESTER.*Be it enacted, etc., as follows :*Fisheries
established.

SECTION 1. David Babson of Rockport shall have the exclusive right in Granite or Goose Cove Pond in the city of Gloucester for the purpose of cultivating lobsters and other useful fish until the first day of September in the year eighteen hundred and eighty-three.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1882.

AN ACT IN ADDITION TO "AN ACT MAKING APPROPRIATIONS FOR EXPENSES AUTHORIZED THE PRESENT YEAR AND FOR OTHER PURPOSES."

Chap. 161

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, from the ordinary revenue, unless otherwise ordered, for the purposes specified in certain acts and resolves of the present year, and for other purposes, to wit:—

Appropriations.

For additional clerical assistance in the department of the treasurer and receiver-general, a sum not exceeding one thousand two hundred dollars, as authorized by chapter one hundred and eleven of the acts of the present year; the same to be in addition to the amount heretofore appropriated.

Treasurer.

For the salary of the judge of probate and insolvency for the county of Middlesex, five hundred dollars, as authorized by chapter one hundred and twenty-nine of the acts of the present year; the same to be in addition to the amount heretofore appropriated.

Judge of probate, etc., for Middlesex.

For the overseers of the poor of the city of New Bedford, three hundred and forty-six dollars and seventy-one cents, as authorized by chapter thirteen of the resolves of the present year.

Overseers of poor of New Bedford.

For repairs of the buildings of the State Normal School at Bridgewater, one thousand five hundred dollars, as authorized by chapter seventeen of the resolves of the present year.

Normal School at Bridgewater.

For the Massachusetts Charitable Eye and Ear Infirmary, ten thousand dollars, as authorized by chapter eighteen of the resolves of the present year.

Eye and Ear Infirmary.

For repairing the dwelling-house of Samuel C. Cisco and Sarah M. Cisco, members of the Hassanamisco tribe of Indians, two hundred dollars, payable to the selectmen of the town of Grafton, as authorized by chapter nineteen of the resolves of the present year.

Hassanamisco Indians.

For Fanny Ross, two hundred dollars, as authorized by chapter twenty-one of the resolves of the present year.

Fanny Ross.

For the State Normal School at Worcester, one thousand dollars, as authorized by chapter twenty-two of the resolves of the present year.

Normal School at Worcester.

For Augustus N. Davis, three hundred dollars, as authorized by chapter twenty-three of the resolves of the present year.

Augustus N. Davis.

For William B. F. Whall, one hundred dollars, as

W. B. F. Whall.

authorized by chapter twenty-four of the resolves of the present year.

Town of Quincy.

For the town of Quincy, one hundred and thirty-seven dollars and twenty-five cents, as authorized by chapter twenty-five of the resolves of the present year.

Bureau of statistics of labor.

For clerical services and for expenses of the bureau of statistics of labor, a sum not exceeding one thousand dollars, as authorized by chapter twenty-six of the resolves of the present year; the same to be in addition to the amount heretofore appropriated.

Town of Charlemont.

For the town of Charlemont, three hundred and eighty-six dollars and fifty cents, as authorized by chapter twenty-eight of the resolves of the present year.

Report of trustees of Agricultural College.

For printing additional copies of the report of the trustees of the Agricultural College, a sum not exceeding two hundred dollars, as authorized by chapter thirty-one of the resolves of the present year.

Laws relating to public schools.

For the publication of a new edition of the statutes relating to public schools, five hundred dollars, as authorized by chapter thirty-two of the resolves of the present year.

Rice and Hutchins.

For Rice and Hutchins, one thousand seventy-eight dollars and ninety-two cents, as authorized by chapter thirty-four of the resolves of the present year.

Towns of Otis, Sandisfield, and Tolland.

For the town of Otis, sixteen thousand dollars; for the town of Sandisfield, twenty-four thousand dollars; for the town of Tolland, fifteen thousand dollars, as authorized by chapter thirty-five of the resolves of the present year.

State Primary School at Monson.

For painting the buildings of the State Primary School at Monson, a sum not exceeding two thousand five hundred dollars, as authorized by chapter thirty-six of the resolves of the present year.

War records.

For continuing the work on the war records in the department of the adjutant-general, two thousand dollars, as authorized by chapter thirty-seven of the resolves of the present year.

Committee on railroads.

For expenses incurred by the committee on railroads of the present legislature, three hundred dollars, as authorized by an order of the House of Representatives adopted March fourteenth eighteen hundred and eighty-two.

Bounties to Massachusetts volunteers.

For bounties to Massachusetts volunteers, in accordance with the provisions of chapter one hundred and twelve of the acts of the present year, a sum not exceeding five hundred dollars.

Special laws.

For the publication of certain special laws, in accordance with the provisions of chapter twenty-one of the resolves

of the year eighteen hundred and eighty-one, a sum not exceeding five thousand dollars.

For expenses of summoning witnesses before committees, and for fees for such witnesses, a sum not exceeding five hundred dollars; the same to be in addition to the amount heretofore appropriated.

Witnesses before committees.

For rebinding for preservation such number of the volumes of ancient records and original papers in the archives of the Commonwealth, under the direction of the secretary of the Commonwealth, as may be necessary, a sum not exceeding five hundred dollars.

Rebinding ancient records

SECTION 2. This act shall take effect upon its passage.

Approved April 19, 1882.

AN ACT RELATING TO THE FENCING OF RAILROADS.

Chap. 162

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and fifteen of chapter one hundred and twelve of the Public Statutes is hereby amended by striking out the words "county commissioners of the county in which such places are situate," and inserting in place thereof the words "board of railroad commissioners."

Railroads to be fenced unless exempted by railroad commissioners.

SECTION 2. No exemptions heretofore made shall be revoked except upon new proceedings had under the provisions of the Public Statutes as hereby amended; notice of such proceedings shall be given to the railroad corporation or corporations interested, and published once a week for three successive weeks in some newspaper published in each county in which the lands are situated.

Revocation of exemptions heretofore made.

SECTION 3. This act shall take effect on the first day of August in the year eighteen hundred and eighty-two.

To take effect Aug. 1, 1882.

Approved April 19, 1882.

AN ACT FOR THE PROTECTION OF FORESTS AGAINST FIRES.

Chap. 163

Be it enacted, etc., as follows:

SECTION 1. Whoever wantonly and recklessly sets fire to any material which causes the destruction or injury of any growing or standing wood of another shall be punished by fine not exceeding one hundred dollars or by imprisonment in the jail not exceeding six months.

Penalty for setting fire to trees.

SECTION 2. This act shall take effect upon its passage.

Approved April 19, 1882.

Chap. 164 AN ACT TO DEFINE THE MEANING OF THE WORDS MAYOR AND ALDERMEN.

Be it enacted, etc., as follows:

Construction of the words "mayor and aldermen."

SECTION 1. In all laws relating to cities, the words mayor and aldermen shall, unless provision is or shall be otherwise made, be construed to mean board of aldermen, any thing in the charter of any city or in any act in amendment thereof to the contrary notwithstanding: *provided, however*, that all appointments which are directed to be made by the mayor and aldermen shall be made in accordance with existing provisions of law.

SECTION 2. This act shall take effect upon its passage.

Approved April 19, 1882.

Chap. 165 AN ACT RELATING TO THE ASSESSMENT OF TAXES ON THE PERSONAL ESTATE OF INSOLVENTS, JOINT OWNERS, AND TENANTS IN COMMON.

Be it enacted, etc., as follows:

Assessment of taxes upon personal property held in trust by an assignee under the insolvent law.

SECTION 1. Section twenty of chapter eleven of the Public Statutes is hereby amended by adding thereto the following words: "*Eighth*. Personal property taxable as such, held in trust by an assignee or assignees under the insolvent law or any bankrupt law or under any voluntary assignment for the benefit of creditors, shall be assessed to such assignee or assignees in the place where the insolvent bankrupt or assignor had his principal place of business; and if he had no such place of business, then in the place of his residence. *Ninth*. Personal property of joint owners or tenants in common other than partners shall be assessed to such owners, according to their respective interests, in the places where they respectively reside."

SECTION 2. This act shall take effect upon its passage.

Approved April 19, 1882.

Chap. 166 AN ACT RELATIVE TO FISHING IN THE MERRIMACK RIVER.

Be it enacted, etc., as follows:

Salmon and shad fisheries regulated.

SECTION 1. The penalties provided by chapter ninety-one of the Public Statutes relative to fishing in the Merrimack River shall not apply to or be in force against any person drawing a net or seine after the twentieth day of June in each year at any point below the Essex Merrimack Bridge in said river, unless such person shall take salmon or shad, nor shall a person taking a salmon or shad while thus lawfully fishing and immediately returning it alive to the waters from which it was taken be liable to any of the aforesaid penalties.

SECTION 2. No penalty shall be incurred by any one taking sturgeon in the tidal waters of the Merrimack River: *provided*, that no net or seine having a mesh which stretches less than twelve inches shall be used in taking the same.

No penalty for taking sturgeon.

SECTION 3. This act shall take effect upon its passage.

Approved April 19, 1882.

AN ACT TO AMEND "AN ACT TO INCORPORATE THE SUBTERRANEAN CABLE COMPANY OF BOSTON."

Chap. 167

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred of the acts of the year eighteen hundred and seventy-nine, incorporating the Subterranean Cable Company of Boston, is amended by striking out sections two, three and four and substituting therefor the following two sections: "Section 2. The capital stock of said corporation shall be one million dollars, all of which shall be paid in in cash before said corporation shall commence business; and said capital stock may be increased from time to time by vote of the corporation to an amount not exceeding two million dollars. Section 3. The stockholders of said corporation shall annually in the month of April at a meeting duly called for the purpose, elect a clerk, treasurer and a board of not less than five nor more than fifteen directors, who shall perform the duties usually exercised by such officers. Any vacancy in either of said offices may at any time be filled by the board of directors until the next annual meeting of the corporation."

Charter amended.

Capital stock.

Officers to be chosen.

Vacancies.

SECTION 2. This act shall take effect upon its passage.

Approved April 19, 1882.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO ISSUE A PUBLIC PARK LOAN.

Chap. 168

Be it enacted, etc., as follows:

For the purpose of defraying the expenses incurred under the provisions of chapter one hundred and eighty-five of the acts of the year eighteen hundred and seventy-five, entitled "An Act for the laying out of public parks in or near the city of Boston," and of any acts in amendment thereof or addition thereto, the city council of the city of Boston shall have authority to issue, from time to time, and to an amount not exceeding the amount actually expended for the purchase or taking of lands or flats for park purposes, bonds or certificates of debt to be denominated on the face thereof "Public Park Loan," to bear

May issue a "Public Park Loan."

Sinking fund to be established.

interest at a rate not exceeding six per centum per annum, and to be payable at such periods as said city council may determine, not exceeding thirty years from their respective dates. For the redemption of such loan said city council shall establish a sinking fund sufficient with the accumulating interest to provide for its payment at maturity. All sums received for betterments from the laying out of public parks shall be paid into said sinking fund until such fund shall amount to a sum sufficient with its accumulation to pay at maturity the bonds for the security of which the fund was established. *Approved April 19, 1882.*

Chap. 169 AN ACT TO TAKE THE TOWN OF HOPKINTON FROM THE JUDICIAL DISTRICT OF THE FIRST DISTRICT COURT OF SOUTHERN MIDDLESEX.

Be it enacted, etc., as follows :

Hopkinton excluded from judicial district.

The town of Hopkinton shall not hereafter be included in the judicial district of the first district court of Southern Middlesex; but no suit or other matter pending in said court shall be affected hereby.

Approved April 19, 1882.

Chap. 170 AN ACT FOR SECURING BETTER DRAINAGE AND FOR THE PRESERVATION OF THE PUBLIC HEALTH IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows :

May alter channel of Spicket River for purposes of drainage.

SECTION 1. The city council of the city of Lawrence may fix the boundaries of the Spicket River, in said city, and for that purpose may alter, change, widen, straighten and deepen the channel of said Spicket River, and remove obstructions therefrom, and may use and appropriate said channel as improved, cover it, pave it, and enclose it in retaining walls, and lower or raise the surface of the water in said channel from the present level, so far as the said city council shall adjudge necessary for the purposes of sewerage, drainage and the preservation of the public health.

May maintain sewers, etc.

SECTION 2. The said city council may, in pursuance of said scheme for improving the valley of said Spicket River, lay out, construct and maintain such sewers as it may adjudge necessary for drainage and the preservation of the public health.

May establish grades, and require owners to raise their lands to the grades established.

SECTION 3. The said city council may establish grades in the different parts of said valley as it may adjudge to be necessary for the complete drainage thereof and the preservation of the public health, and may from time to time require the owners of land in said valley, or any of

them, to raise the surface of said land to the established grade, and to fill the same with good materials to the approval of said city council. All orders under this section shall be made in writing, and served in the mode provided for serving orders of boards of health for the abatement of nuisances.

SECTION 4. If any owner of land so required to be filled fails to comply with any such order within six months after service thereof, the said city council may cause the same to be filled with proper materials to the established grade; and all necessary expenses incurred thereby shall be a lien on said land, and may be collected as provided in section eleven of this act.

If owner fails to fill land, it may be done by the city.

SECTION 5. Any person dissatisfied with the assessment, so made upon his land for the expense of filling the same, may give notice thereof in writing to the said city council within six months after such assessment is made, and the said city shall thereupon take said land.

City to take land if owner is dissatisfied with assessment.

SECTION 6. The said city may take and hold by purchase or otherwise, such lands, water rights, dams, easements and other real estate as said city council may adjudge necessary for the purposes of this act, including land whereby to obtain materials for such grading. If said city or its agents do not agree with the owner of any such lands or rights to purchase the same, the said city may take the same.

City may take any lands, etc.

SECTION 7. Within sixty days after the taking of any land under the preceding sections, the said city council shall cause to be filed and recorded in the registry of deeds for the northern district of the county of Essex a description of the land so taken sufficiently accurate for identification, with a statement that the same is taken pursuant to the provisions of this act, which description and statement shall be signed by the mayor of said city; and the title to the land so taken shall vest absolutely in the city.

To have recorded in registry of deeds a description of the land taken.

SECTION 8. If any person whose land or rights are taken under this act agrees with said city upon the damage done to him by such taking, the same shall be forthwith paid to him by said city. If any person whose land or rights are so taken, or who suffers damage or injury in his property or rights from any act of said city or its agents in the execution of the powers conferred by this act, cannot agree with said city as to the value of the estate so taken or as to the injury so suffered, he may have the amount of damages sustained by him assessed by the county commissioners for the county of Essex, on

Liability for damages.

application made by him to them in writing within one year after such taking or surrender; and either party dissatisfied with the award of the county commissioners may apply, within six months after the filing of their award, to the superior court for said county of Essex for a jury to assess such damages. The proceedings before the county commissioners and the superior court shall be similar to those in case of land taken for highways. The said city shall forthwith pay to such persons as may be entitled thereto all such sums as may be finally determined to be due them, with all interest and costs awarded therewith.

Rights and remedies of persons having separate rights in the same property.

SECTION 9. The respective rights and remedies of persons having different or separate rights in the same property as to the disposition of damages awarded to them, and agreed to by them shall be the same in all respects as they now are in case of property taken in laying out highways.

Assessments for betterments.

SECTION 10. If in the opinion of the city council of said city any real estate receives any benefit and advantage from the improvements made under this act beyond the general advantage to all the real estate in said city, it shall determine the value of such benefit and advantage to such real estate, and may assess upon the same a proportional share of the expense of such improvements. Such valuation and assessment may, if the city council so order, be made separately for sewers constructed under this act, and for other work done under it. Such assessment shall be made after the work for which it is laid is completed, and within two years from its completion.

Assessment to be lien upon estate for two years.

SECTION 11. The sum so assessed shall be a lien upon any such real estate for two years after it is assessed, and if not paid within ninety days after notice of such assessment is served upon the owner of any such real estate, or is left at his last and usual place of abode, if he is a resident of said city, or if the owner is a non-resident, after such notice is served by publishing the same once a week for three successive weeks in some newspaper published in said city, and also personally, if the place of residence of such non-resident is known to the collector of taxes, the amount assessed may be collected by a sale of such real estate, conducted in the same manner as a sale of real estate for the non-payment of taxes; or, at the election of said city, the amount so assessed, or any part thereof, may be collected by a suit at common law. Any person aggrieved at the amount so assessed upon his real estate may, at any time within ninety days after receiving notice

Person aggrieved may apply for a jury.

of such assessment, apply to the superior court for said county for a jury to revise such assessment in the manner provided in section eight of this act. The lien for the sum so assessed, and costs accruing thereon, shall continue for one year after final judgment upon said application, unless the sum found due is sooner paid; but if judgment shall be rendered sustaining such assessment in any part, said city, on motion, may have an execution in common form therefor; and the lien upon such real estate shall thereupon cease. If such assessment shall be declared void for any defect, re-assessment may be made as is provided in case of the re-assessment of taxes.

SECTION 12. In every case where a jury is applied for under this act the party in whose favor the award or assessment appealed from is changed shall be considered as the prevailing party, and shall recover costs

Recovery of costs.

SECTION 13. The city of Lawrence is authorized to lay railway tracks through any street of said city, and maintain them so long as may be necessary to enable earth and other material to be transported to fill the said district under the provisions of this act.

City may lay railway tracks through streets.

SECTION 14. The powers conferred by this act, except so far as the taking of lands and rights are concerned, may be delegated by said city council to such board of commissioners as it may by ordinance establish, or the said powers may be exercised directly by said city council.

Powers may be exercised by commissioners.

SECTION 15. This act shall take effect upon its acceptance, at any time within two years from its passage, by an order passed by a two-thirds vote of all the members of each branch of the said city council, voting by yeas and nays, and approved by the mayor of said city.

Subject to acceptance by two-thirds vote of the city council.

Approved April 19, 1882.

AN ACT TO FIX THE CAPITAL STOCK OF THE POCASSET MANUFACTURING COMPANY OF FALL RIVER.

Chap. 171

Be it enacted, etc., as follows:

SECTION 1. The capital stock of the Pocasset Manufacturing Company of the city of Fall River, incorporated by an act of the general court approved the eighth day of February in the year eighteen hundred and twenty-two, is fixed at the sum of one million one hundred and sixty-one thousand dollars, divided into eleven thousand six hundred and ten shares of one hundred dollars each, to be divided amongst its present stockholders in proportion to their respective interests. Said corporation may from time to time increase its capital stock to an amount not

Capital stock fixed at \$1,161,000.

May increase capital stock.

exceeding in the whole one million five hundred thousand dollars.

Conditions to be complied with.

SECTION 2. If said corporation, by vote of a majority in interest of its stockholders at a legal meeting called for the purpose, shall within six months from the passage of this act vote to accept this act, and shall within said six months cause to be recorded in the registry of deeds for the northern district of the county of Bristol a certificate, signed by its president, treasurer, clerk, and a majority of its directors, stating the amount of its debts and credits, and an estimate of its real and personal estate for the purpose of carrying on its business, at the time of making such certificate, and that the value of its property over and above all its debts and liabilities is not less than the amount of its capital stock as fixed by this act; and if said officers shall make oath that they have carefully examined the records and accounts of said corporation, and faithfully estimated the value of the property and funds thereof, and that said certificate by them signed is true according to their best knowledge and belief, then said corporation, together with its members and officers shall be entitled to the same rights, privileges and immunities, and be subject to the same liabilities and provisions of law as if said corporation had been organized under the provisions of chapter one hundred and six of the Public Statutes with a capital stock fully paid in as required by said chapter, and had duly made and filed the certificate mentioned in section forty-six of said chapter.

Debts and obligations not impaired.

SECTION 3. Nothing contained in this act shall affect or impair any debts or obligations existing at the time of recording said certificate.

SECTION 4. This act shall take effect upon its acceptance as provided in section two.

Approved April 19, 1882.

Chap. 172 AN ACT TO PROVIDE FOR THE CONFIRMATION OF CERTAIN DEEDS AND LEASES OF THE TURNER'S FALLS COMPANY.

Be it enacted, etc., as follows:

May by vote confirm deeds and leases.

SECTION 1. The Turner's Falls Company may, by a vote of its stockholders at a meeting duly called for the purpose, ratify and confirm any deeds or leases of real estate or water power heretofore made in the name of said company as grantor or lessor, and all deeds and leases so ratified and confirmed shall have the same force and effect as if they had been made and executed by due authority of said company: *provided, however, that such*

ratification and confirmation shall not impair the right or title of any person or corporation claiming under said company by force of any deed, lease, attachment or levy made previous to the passage hereof.

SECTION 2. The said corporation may exercise and enjoy all the rights, privileges and powers conferred upon it by sections one and three of chapter one hundred and ninety-eight of the acts of the year eighteen hundred and seventy-four, notwithstanding any thing which may be to the contrary contained in chapter one hundred and forty-eight of the acts of the year eighteen hundred and eighty.

Powers and
privileges.

SECTION 3. This act shall take effect upon its passage.

Approved April 19, 1882.

AN ACT RELATING TO THE INCORPORATION AND LOCATIONS OF
THE CHARLES RIVER STREET RAILWAY COMPANY.

Chap. 173

Be it enacted, etc., as follows :

SECTION 1. The certificate issued by the secretary of the Commonwealth on the twenty-sixth day of August in the year eighteen hundred and eighty-one, certifying that Samuel L. Montague, Charles E. Raymond, Daniel U. Chamberlain and others, their associates and successors, were legally established as a corporation under the name of the Charles River Street Railway Company, for the purpose of locating, constructing, maintaining, and operating a street railway for the conveyance of persons, with all the powers and privileges, and subject to all the duties, liabilities and restrictions set forth in all general laws which then were or hereafter might be in force relating to street railway companies, is ratified and confirmed; and said corporation shall be deemed and taken to have been then duly established, and it shall exercise and enjoy the aforesaid powers and privileges, and shall be subject to the aforesaid duties, liabilities and restrictions, except so far as the same are modified and controlled by the provisions of this act.

Charter con-
firmed.

SECTION 2. All locations heretofore granted to said corporation by the boards of aldermen of the cities of Cambridge and Somerville are ratified and confirmed and shall be deemed and taken to have been duly granted, and said corporation shall have power to maintain and use the same, subject to the provisions of section forty-eight of chapter one hundred and thirteen of the Public Statutes: *provided*, the tracks of said corporation shall not cross the Fitchburg Railroad at grade without the consent of the board of railroad commissioners.

Locations con-
firmed.

Proviso.

May construct railway with single or double tracks.

SECTION 3. Said corporation may construct, maintain and use its railway with single or double tracks, and with convenient and suitable turnouts, from a point on Coolidge Avenue in the town of Watertown, opposite the southerly entrance to Mount Auburn Cemetery over said avenue to Mount Auburn Street in the city of Cambridge, there to connect with the location heretofore granted to said corporation; also from a point on Brookline Bridge at the dividing line between the cities of Cambridge and Boston over said bridge and Brookline Street to and across Brighton Avenue in the city of Boston, to and into Essex Street in the town of Brookline, to a point at or near Cottage Farm station on the Boston and Albany Railroad; and, subject to the proviso contained in section two in regard to crossing the Fitchburg Railroad at grade, upon and over such other highways in said cities of Boston, Cambridge and Somerville and the towns of Watertown and Brookline as locations thereon may hereafter from time to time be granted by the boards of aldermen of said cities or the selectmen of said towns.

May be allowed to enter upon tracks of other street railway corporations.

SECTION 4. The board of aldermen of the city of Boston may from time to time, upon petition of said Charles River Street Railway Company, after due notice and hearing, grant to said corporation the right to enter upon and use the tracks of any other street railway corporation in said city, and compensation shall be made therefor as provided by law; and said Charles River Street Railway Company, or any other party interested, may appeal from any decision of said board of aldermen, made upon any such petition, to the board of railroad commissioners, and said board of railroad commissioners may decide upon any such petition, and, in case it grants the same, may determine the extent of use of tracks, and the number and routes of cars.

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

Approved April 19, 1882.

Chap. 174 AN ACT AUTHORIZING THE APPOINTMENT OF ADDITIONAL PILOTS FOR PORTS OTHER THAN THE PORT OF BOSTON.

Be it enacted, etc., as follows:

Additional pilots may be appointed.

SECTION 1. The governor, by and with the advice and consent of the council, may, for the ports of Massachusetts other than the port of Boston, appoint pilots in addition to those now authorized by law. No such appointment shall be made for a port where the recommendation of any

society or persons is now required by law unless a certificate of qualification from such society or persons is furnished: *provided*, that if such society or persons decline or neglect for three months after application to them to certify either affirmatively or negatively as to the qualifications of an applicant, the appointment may be made without such certificate. Such society or persons may also certify to the governor their judgment as to the need of additional appointments for the good of the service. Pilots appointed by virtue of this act shall be subject to all existing provisions of law not conflicting herewith.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved April 19, 1882.

AN ACT RELATING TO THE ASSESSMENT OF TAXES UPON MORTGAGED REAL ESTATE.

Chap. 175

Be it enacted, etc., as follows:

SECTION 1. Any mortgagor or mortgagee of real estate may bring in to the assessors of the town or city where such real estate lies, within such time as shall be specified for bringing in the lists as provided in section thirty-eight of chapter eleven of the Public Statutes, a statement, under oath, of the amount due on each separate lot or parcel of such real estate, and the name and residence of every holder of an interest therein as a mortgagee or mortgagor. When such property is situated in two or more places, or when a recorded mortgage includes for one sum two or more estates or parts of an estate, an estimate of the amount of the mortgagee's interest in each estate or part of an estate shall be given in such statement. The assessors shall, from such statements or otherwise, ascertain the proportionate parts of such estates that are the interests of mortgagees and mortgagors respectively, and shall assess the same. Whenever, in any case of mortgaged real estate, a statement is not brought in as herein provided, no tax for the then current year on such real estate shall be invalidated for the reason that a mortgagee's interest therein has not been assessed to him.

Assessment of taxes upon mortgaged real estate.

SECTION 2. The provisions of the preceding section shall be included in the notice to be given by the assessors under the provisions of section thirty-eight of chapter eleven of the Public Statutes.

Notice to assessors.

SECTION 3. Section fourteen of said chapter eleven is hereby amended by striking out the words "taxable real estate," in the first line of said section, and inserting in

Amendment to P. S. 11, § 14.

place thereof the words "real estate not exempt from taxation under the provisions of section five of this chapter."

SECTION 4. This act shall take effect upon its passage.

Approved April 21, 1882.

Chap. 176 AN ACT PROVIDING FOR A CLERK FOR THE POLICE COURT OF CHELSEA.

Be it enacted, etc., as follows:

Clerk to be appointed.

SECTION 1. There shall be a clerk of the police court of Chelsea, who shall be appointed in accordance with the provisions of law relating to the appointment of clerks of police courts, and who shall enter upon the discharge of his duties on the first day of June in the year eighteen hundred and eighty-two.

Subject to provisions of law, etc.

SECTION 2. Said clerk shall be subject to all the provisions of law applicable to clerks of police courts.

Salary.

SECTION 3. Said clerk shall receive from the county of Suffolk an annual salary of eight hundred dollars.

SECTION 4. This act shall take effect upon its passage.

Approved April 21, 1882.

Chap. 177 AN ACT TO AUTHORIZE THE EASTERN RAILROAD COMPANY TO ISSUE PREFERRED STOCK IN EXCHANGE FOR CERTIFICATES OF INDEBTEDNESS.

Be it enacted, etc., as follows:

May issue preferred stock.

SECTION 1. The Eastern Railroad Company is authorized to increase its capital stock by issuing not more than five million dollars in shares of the par value of one hundred dollars each, which shall be designated as preferred stock. Upon the tender to said corporation of any portion of its certificates of indebtedness not exceeding five million dollars in amount, said corporation shall accept such certificates so tendered at their face value and issue such preferred stock in lieu thereof at its par value. After receiving the certificates so surrendered said corporation shall forthwith deliver the same to the trustees named in chapter two hundred and thirty-six of the acts of the year eighteen hundred and seventy-six, and said trustees shall accept, cancel and discharge the certificates so delivered.

Dividends to holders of preferred stock.

SECTION 2. The holders of said preferred stock shall annually receive out of the net earnings of said corporation not more than six dollars per share to be paid in semi-annual instalments in such sums as the directors of said corporation may determine.

Provisions of

SECTION 3. Nothing in this act contained shall prevent

the full operation of all the provisions of chapter two hundred and thirty-six of the acts of the year eighteen hundred and seventy-six, or shall defeat or in any wise affect any of the terms and conditions of the certificates of indebtedness issued and the mortgage made under and in pursuance of the provisions of said chapter, or shall authorize any payments from the earnings of said corporation except subject to all claims and charges upon said earnings created by said chapter and by the certificates issued and the mortgage made in pursuance thereof.

1876, 236, not to be affected.

SECTION 4. This act shall take effect upon its passage.

Approved April 22, 1882.

AN ACT RELATING TO THE COMPENSATION OF THE MILITIA.

Chap. 178

Be it enacted, etc., as follows :

SECTION 1. Section one hundred and thirty of chapter fourteen of the Public Statutes is amended so as to read as follows:—“There shall be allowed and paid to officers and soldiers of the volunteer militia on rolls and accounts in such form as the commander-in-chief may prescribe, as follows, to wit: for the duty prescribed in sections one hundred, one hundred and one, one hundred and eight, one hundred and nine, one hundred and thirteen and one hundred and seventeen, commissioned officers shall hereafter be allowed and paid the same pay per day as is prescribed for officers of like grade in the United States army, viz.: brigadier-general, fifteen dollars and twenty-eight cents; colonel, nine dollars and seventy-three cents; lieutenant-colonel, eight dollars and thirty-three cents; major, six dollars and ninety-five cents; captain, mounted, five dollars and fifty-five cents; captain, not mounted, five dollars; adjutant, quartermaster, assistant surgeon and paymaster, five dollars; first lieutenant, mounted, four dollars and seventy-five cents; first lieutenant, not mounted, four dollars and seventeen cents; second lieutenant, mounted, four dollars and seventeen cents; second lieutenant, not mounted, three dollars and eighty-nine cents; chaplain, four dollars and seventeen cents; non-commissioned staff officers, two dollars and fifty cents; every member of a band, four dollars; and every other enlisted man, two dollars. There shall be allowed for each horse actually employed by officers and soldiers authorized by law to be mounted, and for each draught horse employed in the artillery, the sum of four dollars per day, which shall be in full for all keeping and forage. For all other

Compensation of the militia.

Allowances for horses and forage.

Compensation for services not specially provided for.

duty under orders of the commander-in-chief, unless otherwise specially provided, or for attendance as a witness or defendant under summons, as provided in section one hundred and forty-three, there shall be allowed and paid per day to each general, field and staff officer, the sum of four dollars; to every other commissioned officer the sum of two dollars and fifty cents; to every member of a band the sum of four dollars, and to every other enlisted man the sum of two dollars. To each assistant adjutant-general of brigade there shall be allowed and paid the sum of twenty dollars per annum; to each adjutant the sum of fifty dollars per annum; and to each paymaster the sum of twelve dollars and fifty cents per annum for each company in the command to which he is attached. There shall be allowed and paid to each officer detailed by competent authority to perform the duties of another the pay and allowances of the grade or office so filled: *provided*, that no officer shall be paid for duty under two officers at the same time, nor two officers for the same duty."

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1882.

Chap. 179 AN ACT RELATIVE TO PARADING WITH ARMS BY ASSOCIATIONS COMPOSED OF SOLDIERS.

Be it enacted, etc., as follows:

Parading with arms by associations composed of soldiers.

SECTION 1. Section one hundred and twenty-seven of chapter fourteen of the Public Statutes, relative to the parading in public with arms by associations composed of soldiers, is amended by inserting in the eighteenth line after the word "soldiers," the words "or at the decoration of soldiers' graves."

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1882.

Chap. 180 AN ACT DEFINING THE POWERS OF MAYORS OF CITIES TO VOTE AS PRESIDING OFFICERS.

Be it enacted, etc., as follows:

Powers of mayors to vote as presiding officers.

SECTION 1. Section seven of chapter twenty-eight of the Public Statutes is hereby amended by inserting in the second line after the word "vote," the words "in meetings of the board of aldermen, or in conventions of the two branches of the city council."

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1882.

AN ACT RELATING TO INDIGENT AND NEGLECTED CHILDREN.

Chap. 181

Be it enacted, etc., as follows:

SECTION 1. Section forty-six of chapter eighty-six of the Public Statutes, relative to the age to which certain infants who are state paupers shall be provided for by the state board of health, lunacy and charity, is amended in the sixth line by striking out the word "two," and inserting in place thereof the word "three."

Infants to be provided for in a family until three years of age.

SECTION 2. The state board of health, lunacy and charity shall make all necessary provision for the care and maintenance of all poor and indigent children in need of immediate relief, between the ages of three and sixteen years, having no lawful settlement in this Commonwealth, at the state primary school or elsewhere, and for that purpose shall have the same authority to commit such children to the state primary school as overseers of the poor now have to commit them to the state almshouse.

Paupers between ages of three and sixteen years to be sent to state primary school.

SECTION 3. Whenever it shall be made to appear to any court or magistrate that within his jurisdiction any child under fourteen years of age, by reason of orphanage, or of the neglect, crime, drunkenness or other vice of his parents, is growing up without education or salutary control, and in circumstances exposing him to lead an idle and dissolute life, or is dependent upon public charity, such court or magistrate shall, after notice to the state board of health, lunacy and charity, commit such child, if he has no known settlement in this Commonwealth, to the custody of said board, and if he has a known settlement then to the overseers of the poor of the city or town in which he has such settlement, except in the city of Boston, and if he has a settlement in said city, then to the directors of public institutions of said city until he arrives at the age of twenty-one years, or for any less time; and the said board, overseers and directors are authorized to make all needful arrangements for the care and maintenance of children so committed in some state, municipal or town institution, or in some respectable family, and to discharge such children from their custody whenever the object of their commitment has been accomplished.

Children under fourteen years, growing up without education, etc., may be committed to care of state board, etc.

To be committed to directors of public institutions in Boston.

SECTION 4. Whenever any of the class of children mentioned in section three are inmates of the state almshouse, application for their commitment, in the manner provided in said section, shall be made to the justice of the police court of Lowell.

Commitment of children, inmates of state almshouse.

Approved April 29, 1882.

Chap. 182 AN ACT IN RELATION TO VACANCIES IN THE OFFICE OF MAYOR.*Be it enacted, etc., as follows :*

In absence of mayor, duties to be performed by chairman of aldermen, or, if no chairman, by president of council.

SECTION 1. In case of the death, resignation or absence of the mayor of any city, or of his inability to perform the duties of his office, the same shall devolve upon the chairman or presiding officer of the board of aldermen of such city, and if there is no such chairman or presiding officer the same shall devolve upon the president of the common council, until the mayor is able to attend to his duties, or the vacancy is filled as provided by the charter of such city.

To be styled "acting mayor."

SECTION 2. The person on whom such duties shall devolve shall be styled "acting mayor," and shall possess the powers of mayor only in matters not admitting of delay, and shall have no power to make any permanent appointments.

Approved April 29, 1882.

Chap. 183 AN ACT TO AMEND "AN ACT TO SUPPLY THE TOWN OF HOPKINTON WITH WATER."*Be it enacted, etc., as follows :*

Water supply for Hopkinton.

SECTION 1. Section two of chapter one hundred and twenty-two of the acts of the year eighteen hundred and seventy-seven is amended by inserting in the third line thereof after the word "brooks," the words "or other sources," and by striking out at the end of said section the words "selectmen of said town," and adding instead thereof the words "water board of said town hereinafter provided for."

"Hopkinton Water Loan" not to exceed \$50,000.

SECTION 2. Section four of said chapter is repealed, and the following substituted therefor: "For the purpose of paying all necessary expenses and liabilities incurred under the provisions of this act, said town shall have authority to issue notes, bonds, or scrip, from time to time, signed by the treasurer and countersigned by the water board, to be denominated on the face thereof "Hopkinton Water Loan," to an amount not exceeding fifty thousand dollars, payable at periods not exceeding thirty years from the date thereof, with interest payable semi-annually, at a rate not exceeding six per centum per annum; and said town may sell said securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper. Said town shall annually raise by taxation an amount sufficient, together with the net income and receipts from rent for the use of said water, to pay the inter-

est on said loans as it accrues ; and shall also, within two years after the introduction of water into said town, establish a sinking fund, and contribute thereto from year to year an amount raised annually by taxation, which, together with the net surplus income and receipts, after deducting all interest, expenses and charges of distribution, if any remains, shall be sufficient with the accumulations of such amounts to extinguish said loan at maturity ; and said sinking fund shall be applied to the payment of the principal of said loan until the same is fully discharged and paid, and for no other purpose. The water board of said town shall be the trustee of said fund, and shall report the condition of the same, and render an account of its doings in relation thereto annually to the town."

Sinking fund to be established.

SECTION 3. Section six of said chapter is repealed, and the following is substituted therefor : "The said town may, at any annual or special meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual town meeting, to constitute a water board ; and at each annual town meeting thereafter one member of said board shall be elected by ballot for the term of three years. Said board shall execute, superintend and direct the performance of all the works, matters and things mentioned in this act, and exercise all the rights, powers and privileges hereby granted and not otherwise specifically provided for herein, subject to the vote of said town ; and it shall be subject to such ordinances, rules and regulations in the execution of its trust as said town may from time to time ordain and establish, not inconsistent with the provisions of this act and the laws of the Commonwealth. The members of said board shall receive such salaries or compensation as said town by vote may prescribe, and a majority of said board shall be a quorum for the exercise of the powers and duties prescribed by this act. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term at any town meeting duly called for the purpose."

Water board to be elected.

Vacancies.

SECTION 4. This act shall take effect upon its passage.

Approved April 29, 1882.

Chap. 184 AN ACT TO ENABLE THE COMMONWEALTH TO SECURE CERTAIN
AQUEDUCT RIGHTS IN THE TOWN OF NORTH ADAMS.

Be it enacted, etc., as follows:

Water supply
for the Troy and
Greenfield Rail-
road in North
Adams.

SECTION 1. For the purpose of obtaining a supply of water for the Troy and Greenfield Railroad in the town of North Adams, authority is hereby granted to the manager of the Troy and Greenfield Railroad and Hoosac Tunnel, acting for the Commonwealth and with the approval of the governor and council, to enter upon the lands, public highways and streets hereinafter mentioned in said town, and to take possession of and appropriate to the use of the Commonwealth, all that certain line of aqueduct pipe already laid in and through said lands, highways and streets, and extending from the reservoir situate on lands of the Commonwealth near the western portal of Hoosac Tunnel to the Arnold Print Works in said town: that is to say, — the line of location of said aqueduct commences at the outlet of said reservoir, and thence runs in a north-westerly direction through lands of Charles A. Brown to the old highway from North Adams to Pittsfield; thence in a westerly direction in and through said highway to Ashland Street; thence in a northerly direction in and through Ashland Street to Summer Street; thence in a westerly direction in and through Summer Street to State Street; thence in a north-easterly direction in and through State Street to Main Street; thence in a north-westerly direction in and through Main Street to Marshall Street; thence in a north-easterly direction in and through Marshall Street to the Arnold Print Works. The Commonwealth and its assigns shall have full power and authority forever to maintain the said aqueduct in the position where it is located: *provided, however,* that the authority conferred by this act shall not be full and effectual until the consent of the selectmen of said town of North Adams to the location and construction of said aqueduct through the highways and streets aforesaid shall have been first obtained, and a certificate thereof filed with the town clerk of said town.

Proviso.

May dig up
highways, etc.

SECTION 2. Full power and authority is given to the said manager or other proper agents of the Commonwealth, at any and all times to enter upon and dig up the earth, the land of any private land owner, and in any of the highways and streets above mentioned for the purpose of repairing or reconstructing any portion of said aqueduct, provided in so doing no unnecessary interference or obstruction shall be occasioned to the public travel.

SECTION 3. Any person through whose lands said aqueduct and pipes are laid, and with whom the manager of the Troy and Greenfield Railroad and Hoosac Tunnel is not able to agree as to the damages which shall be paid to said land holder for injury caused by the taking and use of said lands for aqueduct purposes, may, upon application to the county commissioners of Berkshire County, within three years after the filing of the location of said aqueduct in the office of the town clerk of North Adams, as above prescribed, have his damages estimated in the manner provided with reference to the laying out of highways; and said county commissioners shall, if requested by said land holder, require said manager to give security to their satisfaction for the payment of all damages which may be awarded by them or by a jury for the land or other property taken; and said manager shall be re-imbursed for any damages and costs so paid by him, in so far as he is not otherwise re-imbursed, out of the unappropriated earnings of the Troy and Greenfield Railroad and Hoosac Tunnel.

Estimation of damages.

SECTION 4. The manager of the Troy and Greenfield Railroad and Hoosac Tunnel may, with the approval of the governor and council, make any contract with or modify any existing contract with the Arnold Print Works, whereby there shall be prescribed the terms and conditions on which the Commonwealth and said Arnold Print Works may respectively and mutually use the said aqueduct and through the same take water from said reservoir, or in case of the suspension or discontinuance of the use of said aqueduct by either party what remuneration if any shall be made to that party for any disproportionate outlays or expenses.

Mutual use of water by the Commonwealth and the Arnold Print Works.

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

Approved April 29, 1882.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS FOR ESSEX COUNTY TO RE-LOCATE AND RE-CONSTRUCT THE DRAW IN ROCKS BRIDGE OVER THE MERRIMACK RIVER.

Chap. 185

Be it enacted, etc., as follows:

SECTION 1. The county commissioners for the county of Essex are authorized and required, within two years after the passage of this act, to re-locate and re-construct of a width of not less than fifty feet, subject to the approval of the board of harbor and land commissioners, the draw in Rocks Bridge, which crosses the Merrimack River between the city of Haverhill and the town of West Newbury, including suitable pier approaches thereto; and the

Re-location and construction of draw in Rocks Bridge.

said county commissioners are authorized to hire such sums of money as may be necessary to comply with the provisions of this act.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1882.

Chap. 186

AN ACT TO INCORPORATE THE DUXBURY BRIDGE COMPANY.

Be it enacted, etc., as follows:

Corporators.

SECTION 1. Oliver L. Briggs, C. C. Sanderson and Stephen N. Gifford, their associates and successors, are made a corporation by the name of the Duxbury Bridge Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or hereafter may be in force relating to such corporations.

Powers and duties.

May construct bridge across Duxbury harbor.

SECTION 2. Said corporation is authorized to construct a pile bridge across the waters of the harbor of the town of Duxbury commencing at some point on Powder Point, so called, and extending easterly in a straight line to Salter's Beach, so called; and to purchase and hold such real and personal estate as may be necessary and convenient for that purpose.

Capital stock and shares.

SECTION 3. The capital stock of said corporation shall not exceed twenty-five thousand dollars, divided into shares of one hundred dollars each.

To be twenty feet wide, and have a suitable draw.

SECTION 4. The bridge hereby authorized to be constructed shall be well built of suitable materials, shall be at least twenty feet wide, and floored with planks, shall have sufficient railings on each side, and shall have a suitable draw, for the passage of vessels, at least twenty-four feet in width, with proper fender piers, and shall be kept in good repair at all times; *provided, however*, that the structure so authorized shall be built subject to and in accordance with the provisions of section eight of chapter nineteen of the Public Statutes.

Proviso.

Approved April 29, 1882.

Chap. 187

AN ACT TO AUTHORIZE THE CITY OF BROCKTON TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

"Brockton Water Loan" not to exceed \$250,000.

SECTION 1. The city of Brockton, for the purposes mentioned in section four of chapter one hundred and twenty-four of the acts of the year eighteen hundred and seventy-eight, may issue notes, bonds or scrip from time to time, signed by the treasurer and countersigned by the

mayor, to be denominated on the face thereof "Brockton Water Loan," to an amount not exceeding fifty thousand dollars, in addition to the amounts heretofore authorized by law to be issued by the town of Brockton for the same purposes; said notes, bonds or scrip to be issued upon the same terms and conditions, and with the same powers as are provided in said act for the issue of the "Brockton Water Loan" by the town of Brockton: *provided*, that the whole amount of such notes, bonds or scrip issued by said city, together with those issued by said town for the same purposes, shall not in any event exceed the amount of two hundred and twenty thousand dollars.

Proviso.

SECTION 2. This act shall take effect upon its acceptance by a vote of two-thirds of all the members of each branch of the city council of said city of Brockton.

Subject to acceptance.

Approved April 29, 1882.

AN ACT TO AUTHORIZE THE MILFORD WATER COMPANY TO TAKE CERTAIN REAL ESTATE IN THE TOWN OF HOPKINTON.

Chap. 188

Be it enacted, etc., as follows:

SECTION 1. The Milford Water Company may take and hold any real estate situated south of Granite Street in the town of Hopkinton, necessary and proper for the purpose of supplying the town of Milford with water, as provided by chapter seventy-seven of the acts of the year eighteen hundred and eighty-one, and for the preservation and purification of such water and for forming any dams or reservoirs to hold the same.

May take real estate in Hopkinton.

SECTION 2. Said corporation shall, within sixty days after the taking of any land under the provisions of this act, file and cause to be recorded in the registry of deeds for the southern district of the county of Middlesex a description of the land so taken, sufficiently accurate for identification, and stating the purposes for which it is taken; and the title of the land so taken shall vest in said corporation. Any person whose property is injured in any way by any act of said corporation, and who fails to agree with said corporation as to the amount of damages, may have the same assessed and determined in the manner provided when land is taken for a highway. Any person whose land is thus taken or affected may apply as aforesaid within three years from the time the land is actually taken, and not thereafter; and no suit for injury done under this act shall be brought after three years from the date of the alleged injury.

To have recorded in the registry of deeds a description of the land taken.

Damages.

SECTION 3. This act shall take effect upon its passage.

Approved April 29, 1882.

Chap. 189 AN ACT TO REGULATE THE HERRING AND SHAD FISHERY IN COLE'S RIVER AND ITS TRIBUTARIES, AND IN MILFORD POND, IN THE COUNTY OF BRISTOL.

Be it enacted, etc., as follows:

Town may regulate fisheries in Cole's River and tributaries.

SECTION 1. The town of Swanzey is authorized to create herring and shad fisheries in Cole's River and its tributaries, and in Milford Pond, so called, in the county of Bristol; and the right to take herring or shad from said river or its tributaries, or from said pond, is suspended for the period of three years next ensuing after the passage of this act; and no net, seine or weir shall be set therein during said period except as hereinafter provided. The fish wardens chosen as provided by section three of this act may, however, take or cause to be taken from said river or its tributaries, or from said pond, at any time after the passage of this act, such herring or shad as may be required for the purpose of stocking said pond or any of the tributaries of said river.

May sell privilege to take herring and shad.

SECTION 2. The town of Swanzey may sell at public auction, at a legal town meeting to be held in March in the year eighteen hundred and eighty-five, two privileges to take herring and shad from Cole's River from the first day of April to the first day of July in each year, for a period not exceeding five years, as hereinafter provided, at such places on said river as shall be designated by such fish wardens. The purchaser or purchasers of such privileges may take herring and shad with one seine, at the places so designated, from sunrise on Monday until sunset on Wednesday in each week during such period; but no herring or shad shall be taken in any manner from said waters after the first day of July in each year.

To choose fish wardens.

SECTION 3. The town of Swanzey, at its annual meeting in March in each year, may choose two or more suitable persons as fish wardens, who shall be sworn to the faithful discharge of their duties, and shall cause this act to be enforced and shall prosecute all violations of its terms. The fish wardens so chosen shall prevent and remove all unlawful obstructions in the course of said river or its tributaries to the passing up and down of the said fish from the first day of April to the first day of July in each year; and may, for the purposes of this act, go upon and pass over the land of any person through or by which said river or any tributary thereof runs, or which borders upon said pond, without being considered trespassers: *provided*, that any person sustaining damage in

his property may have the same assessed in the manner provided when land is taken for highways. Whoever wilfully hinders or molests any such fish warden, or any person authorized by such fish wardens, in the necessary clearing of said river or its tributaries, and in the necessary and proper use of lands on said river or its tributaries, or said pond, for creating and protecting the said fishery, shall forfeit and pay a sum not exceeding twenty dollars for each offence, to be recovered in the manner provided in section four of this act.

Penalty for molesting fish wardens.

SECTION 4. If any person other than those who have purchased such privilege as aforesaid fishes with a seine or net at any time or in any manner, or sets any net, seine, weir, or other obstructions in any part of said river or its tributaries, or of said pond, with intent to take or destroy any shad or herring, he shall forfeit and pay twenty dollars for each offence, to be recovered on complaint, one-half to the use of said town of Swanzey and one-half to the use of the person who shall give information leading to the prosecution and conviction of such offender; and all seines, nets or weirs so used or set shall be forfeited to the person who shall give such information.

Penalty for fishing without purchasing privilege.

SECTION 5. All laws relating to fishing in Cole's River are repealed.

Approved April 29, 1882.

AN ACT TO AUTHORIZE THE CITY OF SALEM TO TAKE CERTAIN LANDS AND FLATS IN THE SOUTH MILL POND.

Chap. 190

Be it enacted, etc., as follows:

SECTION 1. For the purpose of abating the nuisance in the South Mill Pond, so called, in the city of Salem, the said city may from time to time purchase or otherwise take any or all of the lands or flats in or under said South Mill Pond, or along the margin thereof, and fill and raise the same to such grade as may be deemed necessary or expedient, or it may dredge the same: *provided, however*, that nothing in this act shall authorize the taking of, or interference with, land lying within the location of the Eastern Railroad Company, or now actually occupied by said corporation for railroad purposes; and *provided, further*, that no land in said South Mill Pond lying east of a line beginning at or near the south-westerly corner of Summer Street, and running southerly parallel with the westerly main track of said Eastern Railroad, and three hundred and ten feet distant therefrom, shall be taken for the purposes of dredging.

May take land and flats of South Mill Pond.

Provisos.

To have recorded in registry of deeds a description of land or flats taken.

SECTION 2. Said city shall, within sixty days from the time of taking said lands or flats, file and cause to be recorded in the office of the registry of deeds for the southern district of the county of Essex a description of the lands or flats so taken, as certain as is required in a common conveyance of lands, and a statement that the same are taken pursuant to the provisions of this act, which said description and statement shall be signed by the mayor of said city; and the title of all lands or flats so taken shall vest in the city of Salem in fee simple, and the same may be sold and conveyed by said city in such manner as the city council may determine.

Lands to be re-conveyed upon payment of cost of filling.

SECTION 3. Any party whose lands or flats are taken and filled shall be entitled to a re-conveyance of the same from said city upon re-imbursing it for its reasonable costs of such filling, and upon demand made for such re-conveyance within ninety days from the time when such filling is completed.

Assessment of damages in case of disagreement.

SECTION 4. Any owner of lands or flats so taken or filled, who cannot agree with the said city as to the damage done to him by said taking or filling, may at any time within three years from the time of such taking or filling have the said damage assessed by the county commissioners; and if either party is dissatisfied with the estimate of the county commissioners, said party may apply for a jury to assess the damages; and the proceedings thereon, and the proceedings upon application to the county commissioners, shall be the same as provided for the assessment of damages in laying out highways. The respective rights and remedies of persons having different or separate interests or estates in the same property, as to the disposition of the damages awarded or agreed to under this act, shall be in all respects the same as they now are in the case of property taken for the laying out of highways.

Liability for costs.

SECTION 5. If any party shall apply for and obtain a trial by jury he shall recover his legal costs after such application if he shall recover a greater amount than the award of the county commissioners, with the accrued interest thereon, otherwise he shall be liable for the legal costs of the city of Salem. If said city shall make such application, and the verdict of the jury shall be less than the amount awarded by the county commissioners, it shall recover its legal costs, otherwise it shall be liable for the legal costs of the other party.

Power to lay out streets not restricted.

SECTION 6. Nothing in this act shall restrict the power of the city council of the city of Salem to lay out, in

the manner provided by the charter of said city, any street or way over any of the lands or flats referred to in this act.

SECTION 7. This act shall take effect upon its acceptance by the city council of the city of Salem.

Approved April 29, 1882.

AN ACT TO CHANGE THE NAME OF THE "SALEM OLD MEN'S HOME." Chap. 191

Be it enacted, etc., as follows:

SECTION 1. The name of the "Salem Old Men's Home," incorporated under the general laws of the Commonwealth, is changed to the "Bertram Home for Aged Men." Name changed.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1882.

AN ACT TO SUPPLY THE TOWN OF NORTHBOROUGH WITH WATER. Chap. 192

Be it enacted, etc., as follows:

SECTION 1. The town of Northborough may supply itself and its inhabitants with water to extinguish fires, and to generate steam, and for domestic and other uses; may establish fountains and hydrants, regulate their use, and relocate or discontinue the same; and may fix and collect rents for the use of such water. Water supply for Northborough.

SECTION 2. Said town for the purposes aforesaid may take and hold the water, or so much thereof as may be necessary, with the water rights connected therewith, of Cold Harbor Brook, at any point or points on its watershed, in the towns of Northborough, Shrewsbury and Boylston, and of any springs, natural ponds, brooks and other water sources within the said town of Northborough; and may also take and hold all lands necessary for raising, holding and preserving such water and conveying the same to any and all parts of the town of Northborough; and may erect on the land thus taken or held proper dams, buildings, fixtures and other structures, and may make excavations, and procure and run machinery therefor, with such other means and appliances as may be necessary for complete and effective water works; and for that purpose may construct and lay down conduits, pipes and other works under or over any lands, water courses or roads, and along any street, highway or other way, in such manner as when completed shall not unnecessarily obstruct the same; and for the May take water of Cold Harbor Brook.
May lay down conduits, pipes, etc.

purpose of constructing, laying down, maintaining and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up, raise and embank any such lands, highways or other ways, in such manner as to cause the least hindrance to public travel on such highways and other ways. Said town of Northborough shall within ninety days after the taking of any lands, water sources or water rights as aforesaid, otherwise than by purchase, file in the registry of deeds for the county of Worcester a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same is taken, signed by the water commissioners hereinafter provided for.

To file in the registry of deeds a description of the land taken.

Liability for damages.

SECTION 3. The said town of Northborough shall be liable to pay all damages sustained by any person or corporation in property by the taking of any land, water source or water right, or by the construction of any aqueduct, reservoir or other works for the purposes aforesaid. Any person or corporation injured in property under this act, and failing to agree with said town as to the amount of damage sustained, may have the same assessed and determined in the same manner as is provided when land is taken for a highway, the application therefor to be made in writing within one year after the taking of such land, water source or water right, or other injury done as aforesaid, but not thereafter. No assessment for damage shall be made for the taking of any water right, or for any injury thereto, until the water is actually withdrawn or diverted by said town under the authority of this act.

"Northborough Water Loan" not to exceed \$50,000.

SECTION 4. For the purposes of paying all necessary expenses and liabilities incurred under the provisions of this act, said town of Northborough may issue bonds, notes or scrip, from time to time, signed by its treasurer and countersigned by the water commissioners hereinafter provided for, to be denominated on the face thereof "Northborough Water Loan," to an amount not exceeding fifty thousand dollars, payable at periods not exceeding thirty years from the date of issue, with interest payable semi-annually at a rate not exceeding six per centum per annum. Said town may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper. Said town shall pay the interest on said loan as it accrues, and shall provide for the payment of the principal at maturity

either by establishing at the time of contracting said debt a sinking fund, or by paying the same from year to year by regular instalments. In case said town shall decide to establish a sinking fund, it shall contribute to such fund annually a sum sufficient, with the accumulations thereof, to pay the principal of said loan at maturity, and said sinking fund shall remain inviolate and pledged to the payment of said debt, and shall be used for no other purpose. If said town shall decide to pay the principal of said loan by instalments it shall issue coupon bonds bearing, in addition to the regular rate of interest as provided above, interest at a rate not exceeding three per centum per annum on the principal, which additional interest shall be applied annually and directly to the payment of said loan.

Sinking fund to be established.

SECTION 5. Said town shall raise annually by taxation a sum which, with the income derived from the sale of water, shall be sufficient to pay the current annual expenses of operating its water works, and the interest accruing on the bonds issued by said town, and to make such payment on the principal as may be required under the provisions of this act.

To raise by taxation sufficient to pay expenses and interest.

SECTION 6. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken under this act, or injures any dam, reservoir, aqueduct, conduit, pipe or other property owned or used by said town for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of either of the above acts shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding six months.

Penalty for polluting or diverting water.

SECTION 7. Said town of Northborough shall, after its acceptance of this act, at a legal meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year from the next succeeding annual town meeting, to constitute a board of water commissioners; and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the said town by this act and not otherwise specifically provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may impose by its vote; and a majority of said board

Water commissioners to be elected.

shall constitute a quorum for the transaction of business relative both to the water works and to the sinking fund. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting.

Vacancies.

Subject to acceptance by a two-thirds vote.

SECTION 8. This act shall take effect upon its acceptance by a two-thirds vote of the voters of said town present and voting thereon at a legal town meeting called for the purpose within five years from its passage.

Approved April 29, 1882.

Chap. 193

AN ACT TO FIX THE TENURE OF OFFICE OF POLICE OFFICERS IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

Police officers to hold office until they resign, or are removed for cause.

SECTION 1. All police officers hereafter appointed by the mayor and aldermen of the city of Fall River shall hold office until they resign therefrom or are removed for cause by the mayor with the consent of the board of aldermen. The mayor shall have the power, however, to suspend any such officer for cause for a period not to exceed thirty days.

Repeal of 1854, 257.

SECTION 2. All provisions of chapter two hundred and fifty-seven of the acts of the year eighteen hundred and fifty-four and of acts in amendment thereof inconsistent herewith are repealed.

Approved April 29, 1882.

Chap. 194

AN ACT CONCERNING STATISTICS OF DIVORCE.

Be it enacted, etc., as follows:

Clerks of courts to make returns to the secretary concerning libels for divorce.

SECTION 1. The clerks of courts for the several counties, and of the supreme judicial court for the county of Suffolk, shall, annually, during the month of February, make returns to the secretary of the Commonwealth in relation to libels for divorce in their respective counties for the calendar year next preceding. Such returns shall specify the following details: the number of libels pending at the beginning of the year; the number of libels filed within the year; the number of divorces granted; the number of divorces refused; the number of libels contested; the number of libels uncontested; the alleged cause for divorce in each case; the sex of the libellant and the length of time the parties have been married; and the number of cases in which notice has been given to the district-attorney for prosecution under section forty-four of chapter one hundred and forty-six of the Public Statutes, and the criminal offence for which divorce has been granted in such cases.

SECTION 2. The secretary shall furnish the said clerks of courts with suitable blank forms for the returns provided for in the preceding section.

Secretary to furnish blank forms.

SECTION 3. The secretary shall annually prepare from said returns full and complete abstracts and tabular statements of the facts relating to divorces for each county, and embody such abstracts and statements, with necessary analyses, in the annual reports to the legislature relating to the registry of births, deaths and marriages.

To publish abstracts, etc., in registration report.

SECTION 4. The first return to be made under this act shall include the details specified in section one, so far as practicable, for the years eighteen hundred and seventy-nine, eighteen hundred and eighty, eighteen hundred and eighty-one, and eighteen hundred and eighty-two.

First return to include details of the years 1879-1882.

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

Approved May 1, 1882.

AN ACT ENLARGING THE POWERS AND DUTIES OF ASSOCIATIONS FOR CHARITABLE AND OTHER PURPOSES.

Chap. 195

Be it enacted, etc., as follows:

SECTION 1. A corporation organized for any purpose mentioned in chapter one hundred and fifteen of the Public Statutes may make to any member thereof who is disabled by accident or sickness, or to the wife, children or other relatives of, or any other persons dependent upon, such member, weekly or other payments during a period of disability of such member not exceeding six months at any one time, and may provide in its by-laws for the payment, from time to time by each member, of a fixed sum to be held by the corporation, association or society for such purpose. The fund so held shall not exceed the amount provided in section nine of said chapter and shall not be liable to attachment by trustee or other process.

Powers and duties enlarged.

SECTION 2. Section eight of said chapter is amended so as to read as follows: "A corporation organized for any purpose mentioned in section two may, for the purpose of assisting the widows, orphans or other relatives of deceased members, or any persons dependent upon deceased members, provide in its by-laws for the payment by each member of a fixed sum, to be held by such association until the death of a member occurs, and then to be forthwith paid to the person or persons entitled thereto, and such fund so held shall not be liable to attachment by trustee or other process; and associations may be formed under this chapter for the purpose of rendering assistance to such persons in the manner herein specified."

Amendment to P. S. 115, § 8.

Amendment to
P. S. 115, § 11.

SECTION 3. Section eleven of said chapter is amended so as to read as follows: "Every corporation, association or society within this Commonwealth which issues a certificate to or makes a promise or agreement with its members, whereby any sum of money or other benefit is to become due or payable upon the disability or decease of a member, shall annually on or before the first day of April in each year report to the insurance commissioner the location of its principal office in this Commonwealth and the names and addresses of its president, secretary and treasurer, or other officers answering thereto, and shall make such further statements of its membership and financial transactions for the year ending on the preceding thirty-first day of December, with other information relating thereto, as said commissioner may deem necessary to a proper exhibit of its business and standing. Said commissioner may for good cause shown in any case extend the term above prescribed for filing such report and statement, but not beyond the fifteenth day of such month of April; and he may at other times require any further statement he may deem necessary to be made relating to any such corporation, association or society."

Not to re-insure,
etc., with
organization
not authorized
to do business
in Massachu-
setts.

SECTION 4. No such corporation, association or society as is mentioned in said section eleven, hereafter beginning business in this Commonwealth, shall re-insure with or transfer its policies or membership certificates or funds to any organization not authorized to do business in this Commonwealth.

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

Approved May 1, 1882.

Chap. 196

AN ACT CONCERNING THE STATE LIBRARY.

Be it enacted, etc., as follows:

Annual appro-
priation for
purchase of
books, etc.

SECTION 1. Thirty-three hundred dollars shall be annually appropriated for the state library and expended under the direction of the trustees and librarian thereof in purchasing or otherwise procuring such books, maps, charts and works as they deem most useful; in binding and keeping in good condition the works in said library, and in purchasing furniture and other necessary conveniences therefor.

Repeal.

SECTION 2. Section twenty of chapter five of the Public Statutes is repealed.

Approved May 1, 1882.

AN ACT TO AMEND THE PUBLIC STATUTES IN RELATION TO CON-
DITIONAL PARDONS.

Chap. 197

Be it enacted, etc., as follows :

SECTION 1. Section fourteen of chapter two hundred and eighteen of the Public Statutes is amended by inserting in the sixth line, after the word "sentence," the following words: "said confinement, in case the convict is under any other sentence of imprisonment, at the time of said order, to begin upon the expiration of such sentence."

Term of imprisonment in case of breach of conditions of pardon.

SECTION 2. This act shall take effect upon its passage.

Approved May 1, 1882.

AN ACT TO PUNISH PRISONERS ESCAPING FROM CUSTODY WHEN
EMPLOYED OUTSIDE OF THEIR PLACES OF CONFINEMENT.

Chap. 198

Be it enacted, etc., as follows :

SECTION 1. Whoever being imprisoned in any place of confinement established by law in this Commonwealth, except the state prison at Concord, and being taken outside of such place of confinement by any officer thereof for the purpose of performing labor on any public land or building belonging to the county, city or town wherein such place of confinement is located, escapes or attempts to escape from the custody of such officer, shall be deemed to have escaped from such place of confinement, and shall upon conviction thereof be punished by imprisonment in the house of correction or jail for a term not exceeding six months.

Penalty on prisoner for escape when employed outside of place of confinement.

SECTION 2. This act shall take effect upon its passage.

Approved May 1, 1882.

AN ACT FOR THE BETTER PROTECTION OF DEER.

Chap. 199

Be it enacted, etc., as follows :

SECTION 1. Section eight of chapter ninety-two of the Public Statutes is amended so as to read as follows: "Whoever at any time in the year except Tuesdays, Wednesdays, Thursdays and Fridays in the month of November, hunts, takes, wounds or kills a deer, except his own tame deer kept on his own grounds, and whoever on any Tuesday, Wednesday, Thursday or Friday in the month of November, hunts, takes, wounds or kills in any pond or river or within two hundred yards thereof, a deer, except his own tame deer kept on his own grounds, shall be punished for each offence by a fine not less than twenty-five dollars and not more than one hundred dollars, or by

Protection of deer. P. S. 92, § 8.

Penalties.

imprisonment in jail not less than one month nor more than three months, or by both such fine and imprisonment. The owner or keeper of a dog found chasing or hunting deer at any time except in November shall be punished by a fine of twenty dollars; and any person may kill a dog found chasing or hunting deer at any time except Tuesdays, Wednesdays, Thursdays and Fridays in November, if the dog is used with the knowledge and consent of his owner or keeper for such purpose. The owner or keeper of such dog shall be punished by a fine of fifty dollars.

Amendment to P. S. 92, § 10.

SECTION 2. Section ten of said chapter is amended by striking out in the second line the word "deer," and by inserting after the word "prohibited," in the fifth line thereof, the words "and the possession of a deer at any time except the month of November."

Approved May 2, 1882.

Chap. 200

AN ACT TO EXTEND THE TIME WITHIN WHICH SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS MAY SELL CERTAIN REAL ESTATE NOW HELD BY THEM.

Be it enacted, etc., as follows:

Time extended for sale of real estate acquired by foreclosure of mortgage, etc.

SECTION 1. Any savings bank or institution for savings incorporated under the authority of this Commonwealth may sell any real estate now held by it, which has been acquired by the foreclosure of any mortgage owned by it, or by purchase at sales made under the provisions of any such mortgage, or upon judgments for debts due it or in settlements effected to secure such debts, at any time before the first day of July in the year eighteen hundred and eighty-three, notwithstanding any limit provided by the eighth clause of section twenty of chapter one hundred and sixteen of the Public Statutes.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1882.

Chap. 201

AN ACT RELATING TO THE DISCHARGE OF POOR CONVICTS.

Be it enacted, etc., as follows:

Discharge of poor convict by a trial justice.

SECTION 1. Section seventeen of chapter two hundred and twenty-two of the Public Statutes is hereby amended by inserting after the word "court," in the fifth line the following words: "and in case there is no police or district court in the county, then to any trial justice in said county;" also by inserting after the word "court," in the sixth line the words "or trial justice;" also by inserting

after the word "court," in the eleventh line the words "or trial justice."

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1882.

AN ACT TO AUTHORIZE THE CITY OF HAVERHILL TO CONSTRUCT
A WHARF AND A BRIDGE OVER LITTLE RIVER.

Chap. 202

Be it enacted, etc., as follows :

SECTION 1. The city of Haverhill may construct a wharf at the outlet of Little River, between Washington Square and the Merrimack River in said city, and may extend the same southerly a distance not exceeding one hundred and ninety-six feet from the stone abutment on the southerly side of said square; may construct a stone bridge over said Little River, for a part or the whole of said distance, and may close and discontinue any highways or landings thereon, except the highway, if any, on the westerly side of said Little River: *provided*, said city shall construct and maintain a slip or landing at the Merrimack River, with access thereto from said Washington Square, convenient for public use; but all constructions and extensions shall be subject to the provisions of chapter nineteen of the Public Statutes.

May construct a wharf and a bridge over Little River.

Public landing to be maintained.

SECTION 2. This act shall not authorize the erection of any structure on the premises mentioned in section one except such as may be necessary in the construction of said wharf and slip or landings, until a majority of the voters of said city, at a legal meeting called for the purpose, shall vote in favor thereof.

No further structure to be erected, except by a majority vote.

SECTION 3. This act shall take effect upon its passage.

Approved May 4, 1882.

AN ACT IN RELATION TO THE OFFICERS OF THE STATE PRISON
AT CONCORD.

Chap. 203

Be it enacted, etc., as follows :

SECTION 1. The officers of the state prison at Concord shall consist of one warden, one deputy warden, one chaplain, one physician and surgeon, one clerk, four turnkeys, one engineer, twenty-three watchmen, and as many assistant watchmen, not exceeding twenty-three, as the warden may deem necessary.

Officers of the state prison.

SECTION 2. Section eight of chapter two hundred and twenty-one of the Public Statutes is amended by striking out in the fourth line thereof the words "and commissioners."

Amendment to P. S. 221, § 8.

Salaries of officers.

SECTION 3. The warden of the said prison shall receive a salary of thirty-five hundred dollars a year; the chaplain a salary of two thousand dollars a year; the physician and surgeon a salary of one thousand dollars a year. The officers appointed by the warden shall receive such salaries as may be fixed by him subject to the approval of the commissioners of prisons but within the limits herein respectively set forth as follows, namely: the deputy warden, not exceeding two thousand dollars a year; the clerk, not exceeding two thousand dollars a year; each turnkey, not exceeding eleven hundred dollars a year; the engineer, not exceeding twelve hundred dollars a year; each watchman, not exceeding one thousand dollars a year; each assistant watchman, not exceeding eight hundred dollars a year. No other perquisite, reward or emolument shall be allowed to or received by any of the said officers except that there shall be allowed to the warden and deputy warden sufficient house room with fuel and light for themselves and families.

Repeal of P. S. 222, §§ 6, 11.

SECTION 4. Sections six and eleven of said chapter two hundred and twenty-one are repealed.

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

Approved May 4, 1882.

Chap. 204 AN ACT TO AMEND THE CHARTER OF THE CITY OF BOSTON IN RELATION TO GENERAL MEETINGS.

Be it enacted, etc., as follows:

General meetings may be warned, etc., upon the requisition of twenty-five voters of each ward.

Section sixty of chapter four hundred and forty-eight of the acts of the year eighteen hundred and fifty-four is amended so as to read as follows: "General meetings of the citizens qualified to vote in city affairs may from time to time be held to consult upon the common good, to give instructions to their representatives, and to take all lawful measures to obtain a redress of any grievances according to the right secured to the people by the constitution of this Commonwealth. Such meetings shall and may be duly warned by the board of aldermen upon the requisition of twenty-five qualified voters of each ward of said city. If the board of aldermen refuses or neglects to call any such meeting, any justice of the municipal court of said city may, upon a like requisition, by a warrant under his hand in such form, and so served, executed and returned, as he shall determine, call such meeting at such time and in such manner as he may direct, and shall appoint some one to preside therein until the same shall be duly organized by the choice of clerk and chairman."

Approved May 5, 1882.

AN ACT CONCERNING THE SALARIES OF THE JUSTICES OF THE SUPERIOR COURT. *Chap. 205*

Be it enacted, etc., as follows:

SECTION 1. The chief justice of the superior court shall receive an annual salary of fifty-three hundred dollars and each of the other justices of said court shall receive an annual salary of five thousand dollars, the same to be paid from the treasury of the Commonwealth. Salaries of justices established.

SECTION 2. Section twenty-eight of chapter one hundred and fifty-two of the Public Statutes is repealed. Repeal of P. S. 152, § 28.

SECTION 3. This act shall take effect upon its passage.
Approved May 9, 1882.

AN ACT TO REQUIRE THE EASTERN RAILROAD COMPANY TO RECONSTRUCT THE DRAW PIER OF ITS BRIDGE OVER THE MERRIMACK RIVER. *Chap. 206*

Be it enacted, etc., as follows:

SECTION 1. The Eastern Railroad Company is required within six months after the passage of this act to reconstruct the draw pier of its bridge over the Merrimack River, and to make such changes in alignment of said draw pier as are necessary to make the same conform to the alignment of the draw pier of the highway bridge next below said railroad bridge. The new draw pier shall be constructed according to plans to be approved by the board of harbor and land commissioners; and the materials and foundations of the old pier shall be removed so far as said board shall direct. Draw pier of bridge over Merrimack River to be reconstructed.

SECTION 2. The cost of reconstructing said draw pier as aforesaid shall be paid in the first instance by the Eastern Railroad Company, and for the purpose of determining what part of said cost shall be paid by the city of Newburyport, if any, the supreme judicial court, or any justice thereof, sitting in any county in term time or vacation, upon the application of either of said parties and after notice to the other party, shall appoint three commissioners, who shall view the premises before the commencement of the work, and after hearing the parties shall make a report. The report of said commissioners, or of a major part of them, being returned into and accepted by said court, shall be binding on both parties; and the said court shall enter such orders and decrees as are necessary to carry said report into effect. Payment of cost of reconstruction.
Approved May 9, 1882.

Chap. 207 AN ACT TO PROVIDE FOR THE SURGICAL TREATMENT OF CERTAIN PRISONERS.

Be it enacted, etc., as follows:

Prisoners may be transferred to hospitals for surgical treatment.

SECTION 1. The commissioners of prisons may, upon the certificate of the physician of any prison, jail or house of correction, temporarily place any convict under sentence of imprisonment therein, or any person held in any jail for trial or sentence, except for a capital crime, in such hospital as they shall designate, for such surgical treatment or operation as cannot otherwise be safely or properly undertaken, and they may at any time return such convict or person to the prison, jail or house of correction from which he was temporarily removed.

Time in hospital to be deemed part of term of sentence.

SECTION 2. Any convict or person so placed shall, during his absence from such prison, jail or house of correction, be deemed to be in the custody of the officer having charge thereof; and in computing the term of his confinement upon his sentence to imprisonment the time of his confinement in said hospital shall be considered as a part of such term.

SECTION 3. This act shall take effect upon its passage.

Approved May 10, 1882.

Chap. 208 AN ACT RELATING TO THE INSPECTION OF BUILDINGS.

Be it enacted, etc., as follows:

Inspection of buildings. Elevators.

SECTION 1. Section fourteen of chapter one hundred and four of the Public Statutes is amended by inserting after the word "factory," in the second line, the words "or mercantile or public building;" and by adding at the end of the section the following: "all elevator cabs or cars, whether used for freight or passengers, shall be provided with some suitable mechanical device, to be approved by the said inspectors, whereby the cabs or cars will be securely held in the event of accident to the shipper rope, or hoisting machinery, or from any similar cause."

SECTION 2. This act shall take effect upon its passage.

Approved May 10, 1882.

Chap. 209 AN ACT TO CHANGE THE NAME OF THE ROGERS AND SPURR MANUFACTURING COMPANY.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The name of the "Rogers and Spurr Manufacturing Company," a corporation established under the general laws, in the town of Greenfield, is changed to the "Spurr Manufacturing Company."

SECTION 2. This act shall take effect upon its passage.

Approved May 10, 1882.

AN ACT TO REVISE THE CHARTER OF THE CITY OF NEWTON. *Chap. 210*

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the city of Newton, for all purposes for which towns and cities are by law incorporated in this Commonwealth, shall continue to be a body politic and corporate under the name of the "City of Newton," and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges and be subject to all the duties and obligations provided for herein, or otherwise appertaining to said city. The territory of said city shall be divided into seven wards, containing in each ward, as nearly as may be consistent with well-defined limits to each ward, an equal number of voters.

Charter revised.

SECTION 2. The administration of the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in a mayor and a city council, which shall consist of a board of aldermen of seven members, and a common council of fourteen members.

Government vested in mayor and city council.

SECTION 3. Elections shall be held in the several wards. At the annual municipal election, which shall be held upon the first Tuesday of December, there shall be elected by ballot, from the inhabitants of the city, the following officers by the voters at large: — A mayor, one alderman from each ward and as many members of the school committee as may be required to fill the places of those whose terms expire, and to fill such vacancies as occur at the end of such municipal year. And the following officers shall be elected by and from the voters of each ward: — Two common councilmen, a warden and three inspectors of elections. The municipal year and terms of office not herein otherwise fixed shall begin upon the first Monday of January following the election. The mayor and ward officers named in this section shall hold office until their respective successors are chosen and qualified, and the members of each branch of the city council until a majority of a succeeding board is qualified.

Annual election of officers.

SECTION 4. All ward officers shall be sworn to a faithful discharge of their duties; and the oath of office shall be administered by the clerk to the warden, by the warden to the clerk and the inspectors, or to any of said officers by a justice of the peace. Certificates of such oaths shall be made by the ward clerks upon their respective records. The warden shall preside at all ward meetings with the power of moderators at town meetings, and shall receive, assort, count and declare in open ward meet-

Ward officers to be sworn.

Warden to preside at ward meetings.

Clerk to record proceedings.

ings all ballots given in at such meetings. The clerk shall record all proceedings, and certify the ballots given in at any election, and shall enter upon the ward records in open ward meeting the names of all persons receiving votes, the number of votes cast for each person, and the title of the office for which he received such votes. The clerk shall forthwith deliver certified copies of such records to the city clerk, who shall forthwith enter the same in the city records. The inspectors of elections shall assist the warden in receiving, sorting and counting the ballots given in at any election. If at any meeting the warden is not present, the clerk shall preside until a warden *pro tempore* is elected; if both the warden and clerk are absent, the senior in age of the inspectors present shall preside until a warden *pro tempore* is elected. When any ward officer is absent or neglects to perform his duty, his office shall be filled *pro tempore* by hand vote.

Inspectors to assist warden.

Election of ward officer *pro tempore*.

Mayor and members of city council to be sworn.

SECTION 5. The mayor and members of the city council shall be sworn to the faithful discharge of their duties. The oath of office may be administered to the mayor by the city clerk, or by any justice of the peace. Each branch of the city council shall be the judge of the election of its own members, and a majority of each branch shall constitute a quorum for the transaction of business. No member of either branch shall receive any compensation for his services, nor be eligible to any salaried office of the city. The aldermen and common councilmen elect shall on the first Monday of January in each year, at three o'clock in the afternoon, meet in convention, and be sworn by the mayor if present; otherwise, by any justice of the peace. A record of the oath administered shall be made in each branch. The oath may be administered afterwards to any member of either branch by the city clerk, or by the presiding officer of either branch when in session. After the oath has been administered the two branches shall separate. The mayor shall be the presiding officer of the board of aldermen and of the city council when in convention. The city clerk shall be the clerk of the board of aldermen. He shall be sworn to the faithful discharge of his duties. The common council shall organize by choosing a president and clerk, who shall hold their offices respectively during the pleasure of the common council. The clerk shall be sworn to the faithful discharge of his duties. The sessions of both branches of the city council shall be public, except when action is taken upon appointments or removals.

Organization of common council.

SECTION 6. The city council shall annually in January elect by ballot in convention a treasurer, who shall be collector of taxes, an auditor, a city clerk, one assessor for the term of three years, and from each ward an assistant assessor and an overseer of the poor, and may at any time remove any of said officers, except an assessor, by concurrent vote. The terms of office of said officers shall begin upon the first Monday of February following, and shall continue until their respective successors are chosen and qualified. The mayor and aldermen shall appoint ward clerks, constables, a city marshal with the powers and duties of a constable, and all other officers required by the laws of the Commonwealth or by the ordinances of the city, whose selection is not herein before provided for, to hold office until they resign or are removed by the mayor with the consent of the aldermen; but no member of the city council shall continue in an appointed office after the term for which he was elected. Vacancies shall be filled in the manner of the original election or appointment, unless herein otherwise provided. In case of a vacancy in the office of mayor, or of his inability to act, the president of the board of aldermen shall act as mayor until the inability ceases or the vacancy is filled. The removal of a person holding office from one ward to another shall not create a vacancy in such office. Every person who is elected or appointed to an office shall receive a certificate of such election or appointment from the city clerk. Every officer of the city, except the mayor, shall at the request of either branch of the city council, appear before such branch and give such information as it may require, and answer such questions as may be asked, in relation to any matter, act or thing connected with his office or the discharge of the duties thereof.

Election of city clerk, treasurer, etc.

Vacancies.

SECTION 7. The city council shall, in November of each year, appropriate the amount necessary to meet the expenditures of the following year; and such appropriations shall not be increased or exceeded except by a vote of two-thirds of all the members of each branch, voting by yeas and nays. No money shall be expended and no liability of the city shall be incurred by any member of the city council, or any board or officer of the city elected by the city council or appointed by the mayor and aldermen, except in pursuance of an order of the city council. The city council shall have power:—To make a new division of wards in each year of the state or national census; to control and have the custody of all city property; to re-

Appropriations.

New division of wards.

Fire department.

quire a bond with sufficient sureties of any officer elected by the city council or appointed by the mayor and aldermen; to establish by ordinance such offices as may be necessary for any municipal purposes; to establish a fire department with such officers and men, apparatus, and regulations for the government thereof, as said city council may by ordinance prescribe; to make ordinances and affix penalties thereto, as provided herein and by general law, without the sanction of any court or justice thereof; to act upon all matters in which authority is now given to said city of Newton under any acts to supply said city and the town of Newton with water; to lay out, alter, discontinue, locate anew, fix the grade of, or order specific repairs in, any highway, street or town way, and to estimate and assess the damages any person may sustain thereby, and the powers of the city council shall be exclusive therein; but action upon all said matters shall first be taken by the mayor and aldermen, and persons sustaining damage in their property shall have the remedies which are provided in the case of taking land for ways in said city of Newton; but there shall be no appeal from a decision not to lay out a way; to act upon all matters in which authority is given to said city council and the board of aldermen and the mayor and aldermen in acts relating to "Cheese Cake Brook," to laying and maintaining drains and sewers in said city and in the city of Boston and the town of Watertown, to establishing grades for drainage and sewerage in said city of Newton, and in general laws relating to streets, sidewalks, drains and sewers, and the taking of lands from which may be taken earth and gravel; but action upon all said matters shall first be taken by the mayor and aldermen; and generally to exercise all the powers of towns under general laws.

Water supply.

Drainage.

Number of wards, etc., may be fixed by ordinance.

SECTION 8. Provision may be made from time to time by the city council by ordinance ratified by the legal voters at an annual municipal election as follows: — Fixing the number of wards, but only in a year preceding that of the state or national census; fixing the number of members of the common council, provided that wards shall be equally represented; fixing the number of aldermen, provided that wards shall be equally represented.

Warrants for meetings.

SECTION 9. The mayor and aldermen shall issue warrants for meetings of citizens for municipal purposes. The mayor and aldermen shall have power to act in all matters in which authority is given to the city and said board relating to the "Kenrick Fund;" and shall have all the

"Kenrick Fund."

powers of selectmen and of boards of aldermen and of a mayor and aldermen under general laws, excepting as is otherwise provided in the preceding section.

SECTION 10. The mayor shall be the chief executive officer of the city. He shall see that the laws and the ordinances, orders and regulations of the city are duly executed and enforced, and shall exercise a general supervision over the official acts and conduct of all subordinate officers. He may suspend any officer, and may suspend any work or payment, whether under a contract, or otherwise, for a period not exceeding ten days; but in such case he shall report his action, with his reasons therefor, to the city council, which shall take immediate action thereon. He may except from his approval of any ordinance, order, resolution or vote, in which he has the power of veto by general law, any portion involving a distinct item of expenditure; in such case, instead of returning the original, he shall transmit a copy of such portion not approved. He shall be, *ex officio*, a member and chairman of the school committee, and of the overseers of the poor. In the school committee he shall have only a casting vote. He may call special meetings of the city council, or of either branch thereof, by causing notices to be left at the usual place of residence of each member of the city council or of the branch to be convened. He shall at all times have the control and direction of the police force, subject only to the ordinances of the city. His salary shall not be changed during his term of office.

Mayor to be chief executive officer of the city.

Chairman of the school committee and of the overseers of the poor.

SECTION 11. The school committee shall continue as at present constituted, and shall consist of the mayor, and president of the common council, *ex officio*, and two members from each ward elected for the term of three years. They may elect from their own number a chairman, who shall preside in the absence of the mayor. They shall serve without compensation. No member shall be the superintendent of schools. They shall forthwith notify the mayor and aldermen of any vacancy in their board, and may fill such vacancy until the end of the municipal year in which the warrant for the next municipal election is issued. At such election the vacancy shall be filled for the unexpired term. No money shall be expended by the school committee except by a two-thirds vote of members present and voting.

School committee.

SECTION 12. All acts and parts of acts inconsistent herewith are repealed: *provided*, that this repeal shall not revive any act heretofore repealed, nor affect any right

Repeal not to revive act heretofore repealed etc.

accruing or accrued, or any offence committed, or penalty or forfeiture incurred at the time when this act takes effect, or any suit or prosecution or other proceeding then pending, nor abridge the term of any office then filled, nor affect any ordinance then in force and not inconsistent with this act.

When to take effect.

SECTION 13. This act shall take effect for the election of municipal officers at the annual municipal election on the first Tuesday of December in the year eighteen hundred and eighty-two, and for all other purposes at the beginning of the municipal year in the following January: *provided*, that it shall be accepted by a majority of the legal voters of said city of Newton voting thereon by ballot at the annual state election in the year eighteen hundred and eighty-two, notice thereof having been duly given.

Approved May 10, 1882.

Chap. 211 AN ACT TO REVISE THE CHARTER OF THE CITY OF TAUNTON.

Be it enacted, etc., as follows:

Charter revised.

SECTION 1. The inhabitants of the city of Taunton, for all purposes for which towns and cities are by law incorporated in this Commonwealth, shall continue to be a body politic and corporate under the name and style of the City of Taunton, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now incumbent upon and appertaining to said city as a municipal corporation.

Government vested in mayor and city council.

SECTION 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in a mayor, one council of eight to be called the board of aldermen, and one council of twenty-four to be called the common council; which boards, in their joint capacity, shall be called the city council; and the members thereof shall be sworn to the faithful discharge of their duties. A majority of each board shall constitute a quorum for business.

To be divided into eight wards.

SECTION 3. The city of Taunton shall continue to be divided as heretofore into eight wards. The city council may, at any time before the year eighteen hundred and eighty-five, and not oftener than once in five years thereafter, alter, if needful, the boundaries of the wards so as to preserve, as nearly as may be consistent with well defined limits to each ward, an equal number of voters in each ward; and until such alteration shall be made the

boundary lines of the wards of said city shall remain as now established.

SECTION 4. On Tuesday after the first Monday in December in each year, there shall be chosen by ballot in each of said wards, a warden, clerk and three inspectors of elections, who shall be different persons, residents in the ward, who shall hold their offices one year and until others are chosen and qualified in their stead. Said wardens shall preside at all ward meetings, with the powers of moderators of town meetings; and if at any meeting the warden is not present, the clerk shall preside until a warden *pro tempore* is chosen by ballot; if both the warden and clerk are absent, the senior in age of the inspectors present shall preside until a warden *pro tempore* is thus chosen; and if all said officers are absent, any legal voter in said ward may preside until a warden *pro tempore* is so chosen. When any ward officer is absent, or neglects to perform his duty, his office shall be filled *pro tempore*, by the voters present. The clerk shall record all the proceedings of such meetings and certify the votes cast and deliver to his successor in office all records, journals, documents and papers held by him in his official capacity. The inspectors shall assist the warden in receiving, assorting and counting the votes. All said officers shall be sworn to the faithful discharge of their duties. The oath of office shall be administered by the clerk to the warden, and by the warden to the clerk and to the inspectors, or to either of said officers by any justice of the peace; certificate of such oaths shall be made by the clerk upon the ward records. The election of municipal officers shall take place on Tuesday next after the first Monday of December annually, and the municipal year shall begin on the first Monday of January following. All warrants for meetings of the citizens for municipal purposes, to be held either in wards or in general meeting shall be issued by the mayor and aldermen, and shall be in such form and served and returned in such manner and at such times as the city council shall by ordinance direct.

SECTION 5. The mayor shall be elected by the qualified voters of the city at large, voting in their respective wards. He shall be a qualified voter of the city, and shall hold his office for the municipal year next following his election, and until another shall have been elected and qualified in his place. One alderman and three common councilmen shall be elected by and from the voters of each ward, and shall at the time of their election be residents

Election of ward officers.

Ward officers to be sworn.

Warrants for meetings, etc.

Mayor to be elected at large.

One alderman and three councilmen from each ward.

of the wards respectively in which they are elected; they shall hold their offices for the municipal year next following their election and until a majority of the new boards respectively shall be elected and qualified in their places. The board of school committee shall consist of eleven persons; three members shall be chosen at each annual election, in the manner provided for the election of mayor, for the term of three years. The mayor and president of the common council shall be *ex officio* members of the board of school committee, with the same powers and duties as if severally elected thereto; and the mayor shall be chairman of said board. The persons heretofore elected as members of said board shall continue in office according to the tenure thereof. The board of school committee shall be the final judge of the qualification and election of its own members, and shall have all the powers vested in school committees by the laws of the Commonwealth. A majority of the members of said board shall constitute a quorum for the transaction of business. Any vacancy occurring in said board may be filled, for the remainder of the municipal year, by the joint ballot of the aldermen and school committee, and for the unexpired term thereafter shall be filled at the first municipal election after such vacancy occurs.

School committee.

Vacancies.

Annual election of officers.

SECTION 6. On Tuesday after the first Monday of December in each year when the qualified voters in each ward shall give in their votes for mayor, aldermen, common councilmen, school committee and ward officers, as herein before provided, all the votes so given in shall be assorted, counted, declared and registered in open ward meeting, and the name of each person voted for and the number of votes given for each person shall be recorded in words at length. The clerk of the ward, within twenty-four hours after such election shall cause to be delivered to each person elected as alderman and common councilman a certificate of his election, signed by the warden and clerk and a majority of the inspectors, and shall deliver to the city clerk a copy of the record of such elections certified in like manner: *provided*, that in all cases the persons receiving the greatest number of votes for their respective offices shall be declared to be elected. If two or more persons have received the same number of votes for any of said offices, the meeting may be adjourned from time to time until some person is elected. The board of aldermen shall, as soon as may be and in the manner provided by law, examine the copies of the records of the

Certificates of election.

several wards, certified as aforesaid, and shall cause the person who has received the greatest number of votes for mayor, and the persons who have received the greatest number of votes for school committee, respectively, to be notified in writing of their election; but if there shall appear to be a failure so to elect in any case, or if a person so elected shall refuse to accept his office, the board of aldermen shall issue their warrants for a new election, and the same proceedings as herein before provided shall thereupon be had and repeated until such officers shall be elected. In case of the decease or resignation of the mayor, or of his inability to perform the duties of his office, the board of aldermen and the common council shall respectively, by vote, declare that a vacancy exists, and the cause thereof; whereupon the two boards shall meet in convention and elect a mayor to fill such vacancy; and the mayor thus elected shall hold the office until the inability aforesaid is removed, or until a new election, which may be ordered by the board of aldermen. The oath of office shall be administered to the mayor by the city clerk or any justice of the peace. The aldermen and common councilmen elect shall, on the first Monday of January in each year at ten o'clock in the forenoon, meet in convention, when the oath shall be administered to them by the mayor or city clerk, a certificate whereof shall be entered on the journals of said boards by their respective clerks. The boards shall then separate and the common council shall be organized by the choice of one of their number as president, and also of a clerk, not one of their number, both of whom shall be sworn to the faithful discharge of their duties. In case of the absence of the mayor elect on the first Monday of January, or if the mayor shall not then have been chosen, the city government shall be organized in the manner herein before provided, and may proceed to business in the same manner as if the mayor was present; and the oath of office, at any time thereafter in convention of the two branches, may be administered to the mayor and any member of the city council who may have been absent at the organization. The board of aldermen shall elect one of their number to preside at all meetings of the board when the mayor does not preside, who shall be called the chairman of the board of aldermen, and who shall hold office during the municipal year for which he is elected. In the absence of both the mayor and chairman of the board of aldermen, the aldermen shall elect one of their members as chairman for

Vacancy in the office of mayor.

Organization of the government.

Chairman of the board of aldermen to be elected.

Each board to keep record of its own proceedings.

the time being. In the absence of the mayor, the chairman of the board of aldermen shall preside at all conventions of the city council. Each board shall keep a record of its own proceedings, and judge of the election of its own members; but in case of the failure of an election, or in case of any vacancy declared by either board, the mayor and aldermen shall order a new election.

Mayor to be chief executive officer.

SECTION 7. The mayor shall be the chief executive officer of the city; he shall be vigilant in causing the laws and regulations of the city to be enforced; he shall exercise a general supervision over the conduct of all subordinate officers, and shall cause their neglect of duty to be punished. He may call special meetings of the boards of aldermen and common council, or either of them, when he deems it necessary, by causing written notices thereof to be left at the places of residence of the several members. He shall from time to time communicate such information and recommend such measures as in his opinion the interests of the city may require. He shall preside in the board of aldermen, and in convention of the two boards.

Mayor to nominate, subject to confirmation, etc., by aldermen.

SECTION 8. In all cases in which appointments are directed to be made by the mayor and aldermen, the mayor shall have exclusive power of nomination, being subject however to confirmation or rejection by the board of aldermen; but if a person so nominated shall fail of confirmation it shall be the duty of the mayor to make another nomination within one month from the time of such rejection or failure to confirm.

Executive power vested in mayor and aldermen.

SECTION 9. The executive power of said city generally, and the administration of the police, with all the powers formerly vested in the selectmen of the town of Taunton, and heretofore vested in the mayor and aldermen of the city of Taunton, shall continue to be vested in and exercised by the mayor and aldermen of said city, as fully as if the same were herein specially enumerated. The mayor and aldermen shall have full exclusive power to appoint constables, and a city marshal or chief of police and assistants, with the powers and duties of constables, and all other police officers, and to remove the same when cause exists therefor. All other powers now vested in the inhabitants of said city, and all powers granted to them by this act, shall be vested in the mayor and aldermen and common council, except so far as different provisions are herein made, to be exercised by concurrent vote, each board to have a negative upon the other. The city council shall annually, as soon as may be after organization, elect by

Election of city clerk, treasurer, etc.

joint ballot a city treasurer, collector of taxes, city clerk, city solicitor, superintendent of streets, and city physician for the ensuing year, who shall hold their respective offices until others are elected and qualified in their stead, and the city council shall, in such manner as may be determined by ordinance, appoint or elect all other subordinate officers not herein otherwise provided for, define their duties and fix the compensation of all officers and subordinate officers so far as the same are not determined by the laws of the Commonwealth. The city council may fill a vacancy existing in any such office, and may remove any of said officers for cause. The sessions of the boards aforesaid shall be public when they are not engaged in executive business. The city council shall see that no money is paid from the city treasury unless granted or appropriated; they shall secure a just and prompt accountability by requiring bonds, with sufficient penalties and sureties, from all persons intrusted with the receipt, custody or disbursement of money, and from such other officers as they may think necessary; they shall have the care and superintendence of the city buildings, and the control and management of all city property, with power to let or sell what may be legally let or sold: and to purchase property, real and personal, in the name and for the use of the city, whenever in the judgment of the city council it may be deemed expedient. The city council shall publish annually a particular account of the receipts and expenditures of the city, and a schedule of the property and debts of the same. The city council shall also fix the annual salary of the mayor.

Vacancies and removals.

Annual statement of receipts and expenditures to be published.

SECTION 10. No alderman or common councilman shall be appointed or elected by the city council, or either branch thereof, to any office the salary of which is paid by the city.

Members of city council not to hold salaried office.

SECTION 11. The city clerk before entering upon the duties of his office shall be sworn to the faithful performance thereof. He shall be clerk of the board of aldermen, shall attend said board when the same is in session, keep a journal of the acts and proceedings of said board, sign all warrants issued by them, and do such other acts in his capacity as may lawfully and reasonably be required of him; he shall deliver all journals, records, papers and documents, and other things intrusted to him as city clerk, to his successor in office immediately upon such successor being chosen and qualified as aforesaid, or whenever he may be thereto required by the board of aldermen. He shall also be clerk of the city council when in convention.

City clerk to be clerk of the board of aldermen, and clerk of the city council when in convention.

He shall perform all the duties and exercise all the powers by law incumbent upon or vested in clerks of towns in this Commonwealth, or by law belonging to the city clerk of the city of Taunton, as fully as if the same were particularly enumerated. In case of the temporary absence or sickness of the city clerk, or in case of his death, the mayor and aldermen may appoint a city clerk *pro tempore*, with all the powers, duties and obligations of the city clerk, until the city clerk resumes his duties, or his successor is elected; and said officer shall be sworn in the manner provided in the case of the city clerk.

Assessors and
assistant
assessors.

SECTION 12. The persons heretofore elected by the city council as members of the board of assessors shall continue in office according to the terms heretofore established, and as soon after the first Monday in January annually hereafter as conveniently may be, the city council shall by concurrent vote elect one person, a resident of said city, to serve as a member of said board for three years from said first Monday, and until his successor is chosen and qualified. The city council may in like manner fill any vacancy in said board; may elect such assistants and provide such clerical aid as it deems necessary, and define the duties and fix the compensation of all of said officers. The assessors chosen as aforesaid shall exercise the same powers and be subject to the same duties and liabilities as town assessors under the laws of the Commonwealth. They shall be sworn to the faithful discharge of their duties. All taxes shall be apportioned and collected in the manner prescribed by the laws of this Commonwealth: *provided, however*, that the city council may establish further or additional provisions for the collection thereof.

Overseers of the
poor.

SECTION 13. As soon after the acceptance of this act as may be convenient, the city council shall by concurrent vote choose three persons to be overseers of the poor, — one for three years, one for two years, and one for one year, from the first Monday of January preceding said election, and until others shall be elected in their stead; and thereafter in the month of January annually said city council shall in like manner choose one person who shall hold his office for the term of three years next ensuing, and until another shall be chosen and qualified in his stead. The city council may, for cause, remove any member of said board, and shall fill any vacancy therein for the unexpired term, by election in the manner herein before provided, as soon as may be after the occurrence of such

vacancy. Annually in the month of January said board shall organize by the choice from their own number of a chairman and a secretary, who shall also act as agent of said board. The city council shall fix the compensation of said overseers of the poor.

SECTION 14. There shall be a board of health consisting of the city physician and two other persons, who shall be forthwith appointed in the manner provided in sections eight and fifteen of chapter eighty of the Public Statutes; and said board shall have all the powers and privileges and be subject to all the duties and provisions relating to boards of health so appointed, set forth in said chapter, and all the power and authority now vested in the board of health of said city shall be transferred to and be vested in the board of health appointed as above provided. Board of health.

SECTION 15. The city council shall establish a fire department for said city, and shall by ordinance determine of what officers and members said department shall consist, prescribe the time and mode of their appointment and removal, define their powers, duties and periods of service, fix their compensation and make such other regulations regarding their conduct and government as they deem expedient. The engineers or other officers of the department, appointed as aforesaid, shall have all the powers and authority conferred upon fire wards by the Public Statutes. The city council of said city may by ordinance make regulations concerning the management of fires, the conduct of all persons present at the same, the removal and protection of property, the examination of any building or place where combustible materials or substances are supposed to be kept or deposited, the removal of such materials and substances, and the adoption of other suitable safeguards against fires and the loss or destruction of property by reason of the same. Said city may procure and hold such land, buildings, furniture, engines and other apparatus as may be necessary for the purposes of the fire department; and the city council may by ordinance make regulations regarding the use, control and preservation thereof. The powers and duties mentioned in the preceding sections, or any of them, may be exercised and carried into effect by the said city council in any manner in which it may prescribe, and through the agency of any persons or any board or boards to whom it may delegate the same. Suitable penalties may be affixed to the violation of the regulations made under the authority of this act, not exceeding twenty dollars for any breach thereof. Said Fire department.

Powers may be exercised in manner prescribed by the city council.

city is authorized to expend a sum not exceeding five hundred dollars annually, under the direction of the city council, for the relief of such firemen as are disabled in the service of said city, and for the relief of the families of such firemen as are killed in the performance of their duties.

Mayor and aldermen, with concurrence of common council, may lay out streets, etc.

SECTION 16. The mayor and aldermen, with the concurrent vote of the common council, may lay out, alter or discontinue streets and town ways, fix the grades thereof and estimate the damages sustained by parties thereby; but all parties aggrieved by such action shall have the same right of application and complaint to the county commissioners that they now have when dissatisfied with the action of selectmen of towns.

Drains and common sewers.

SECTION 17. The mayor and aldermen, with the concurrence of the common council, may lay drains and common sewers through streets or private lands, paying the owners such damages as they sustain thereby. They may require any person opening a drain into such common drain or sewer to pay a reasonable sum for that privilege.

Election of representatives to the general court.

SECTION 18. The mayor and aldermen shall in each year issue their warrants for calling meetings for the election of the whole number of representatives to the general court, to which the said city is by law entitled, such number to be specified in such warrants.

Election of national, state and county officers.

SECTION 19. All elections of county, state and United States officers, who are chosen by the people, shall be held at meetings of citizens qualified to vote in such elections in their respective wards at the times prescribed by law; the votes given for such officers shall be received, assorted, counted, declared and registered in open ward meetings, as is herein provided in reference to city officers. The ward clerks shall forthwith deliver to the city clerk certified copies of the records so made; and all ballots and check lists shall be sealed and transmitted to the city clerk in the manner provided by the laws of the Commonwealth. The city clerk shall forthwith record such returns; and the mayor and aldermen shall, within the time provided by law, after every such election, examine and compare all such returns, and make out a certificate of the result of such election, to be signed by the mayor and a majority of the aldermen, and also by the city clerk, which certificate shall be transmitted, delivered and returned as by law required. If the whole number of representatives to the general court are not elected, the mayor and aldermen shall issue their warrants for a new election, conformably to the constitution and laws.

SECTION 20. Lists of voters in each ward shall be prepared by the mayor and aldermen in the manner provided by the laws of the Commonwealth, and for that purpose they shall have access to the assessors' books and lists, and be entitled to the assistance of all the city officers; and said lists, so prepared, they shall deliver to the clerks of the wards, to be used at such elections, and shall cause copies thereof to be posted in three public places in each ward the length of time required by law prior to such elections; and no person shall be entitled to vote in a ward whose name is not borne on such a list: *provided*, that any person whose name shall not be borne on the list of the ward in which he is entitled to vote when it shall be placed in the hands of the clerk of said ward shall have the right to have his name entered thereon at such time thereafter as is provided in like cases by the laws of this Commonwealth.

Lists of voters.

SECTION 21. General meetings of the citizens qualified to vote may be held according to the right secured to the people by the constitution of the Commonwealth. Such meetings shall be called by the mayor and aldermen on the petition of fifty qualified voters.

General meetings of citizens.

SECTION 22. The city council shall make by-laws or ordinances, with suitable penalties, for the inspection, survey, measurement, weighing and sale of lumber, wood, coal and bark brought into or exposed in the city for sale, and all such other by-laws as towns may make and establish; but no penalty for a breach thereof shall exceed twenty dollars. Such by-laws shall be presented to the mayor for his approval; if he approve, he shall sign them; if not, he shall return them to either branch of the city council, with his objections; if they are again passed by two-thirds of the members of each board present and voting thereon, the same shall become a law, otherwise not. All fines and forfeitures for the breach of any by-law or ordinance shall be paid into the city treasury.

Inspection of lumber, bark, etc.

SECTION 23. All fines, forfeitures and penalties accruing for the breach of any by-law of said city, or of the ordinances of the city council, or of any of the orders of the mayor and aldermen, may be prosecuted for and recovered before the first district court of Bristol in the manner in which fines, forfeitures and penalties have heretofore been by law prosecuted for and recovered; reserving however to the party prosecuted the right of appeal to the superior court. If any person refuses to pay such a fine imposed upon him, or refuses to recognize with sureties to

Fines and forfeitures may be prosecuted for, before the first district court of Bristol.

prosecute his appeal, the same proceedings shall be had as in any criminal prosecution.

Void, unless accepted within three months.

SECTION 24. This act shall be void unless accepted by the city council of Taunton within three months from its passage.

Approved May 11, 1882.

Chap. 212 AN ACT TO ESTABLISH AN AGRICULTURAL EXPERIMENT STATION.

Be it enacted, etc., as follows:

Experiment station established.

SECTION 1. An agricultural experiment station shall be established and maintained at the Massachusetts agricultural college in the town of Amherst.

Management vested in board of control.

SECTION 2. The management of said station shall be vested in a board of control of seven persons of which board the governor shall be president *ex officio*, and of which two members shall be elected from the state board of agriculture, by said board of agriculture; two from the trustees of the Massachusetts agricultural college, by said trustees; one from the Massachusetts society for promoting agriculture, by said society; and the remaining member shall be the president of the Massachusetts agricultural college. The said board shall choose a secretary and treasurer.

Board to make report to the legislature.

SECTION 3. The said board of control shall hold an annual meeting in the month of January, at which time it shall make to the legislature a detailed report of all moneys expended by its order, and of the results of the experiments and investigations conducted at said station, with the name of each experimenter attached to the report of his own work, which detailed report shall be printed in the annual report of the secretary of the state board of agriculture.

Two members of board to retire each year.

SECTION 4. The said board of control shall at its first meeting arrange for the retiring of two members each year, and the successors of such retiring members shall be elected by the bodies respectively which such retiring members represent: *provided*, that in the years in which under such arrangement the president of the Massachusetts agricultural college would be retired, the said president shall remain and one member only shall be retired.

Board to appoint officers, and provide apparatus for experiments.

SECTION 5. The said board of control shall appoint a director, a chemist, and all necessary assistants, and shall provide suitable and necessary apparatus and appliances for the purpose of conducting experiments and investigations in the following subjects: — *First*, The causes, prevention and remedies of the diseases of domestic animals, plants and trees; *Second*, The history and habits of insects destructive to vegetation, and the means of abating them;

Third, The manufacture and composition of both foreign and domestic fertilizers, their several values and their adaptability to different crops and soils; *Fourth*, The values, under all conditions, as food for all farm animals, for various purposes, of the several forage, grain and root crops; *Fifth*, The comparative value of green and dry forage, and the cost of producing and preserving it in the best condition; *Sixth*, The adulteration of any article of food intended for the use of men or animals; and in any other subjects which may be deemed advantageous to the agriculture and horticulture of the Commonwealth. It may from time to time distribute any or all of the results of any experiment or investigation to such newspapers as may desire to publish the same.

May furnish newspapers with results of experiments.

SECTION 6. There shall be paid from the treasury of the Commonwealth to the treasurer of said board of control before the first day of July in the year eighteen hundred and eighty-two the sum of three thousand dollars, to establish, prepare and equip said station; and for the maintenance of said station hereafter there shall also be paid to said treasurer the sum of five thousand dollars annually, in regular quarterly instalments, on the first days of January, April, July and October of each year, beginning on the first day of July in the year eighteen hundred and eighty-two.

Allowance for equipment and maintenance of station.

Approved May 12, 1882.

AN ACT TO PROVIDE A BURIAL PLACE FOR PRISONERS DYING IN THE REFORMATORY PRISON FOR WOMEN.

Chap. 213

Be it enacted, etc., as follows:

SECTION 1. The commissioners of prisons may purchase and hold, in behalf of the Commonwealth, such land not exceeding one acre in extent, within the town of Sherborn, as they may deem necessary for the burial of prisoners who die in the reformatory prison for women; and they may use such land for the purpose aforesaid: *provided*, that they shall not expend for the purchase thereof a sum exceeding one hundred and fifty dollars. Said commissioners may expend for fencing such land and preparing it for use as aforesaid a sum not exceeding five hundred dollars.

Burial place to be provided for prisoners.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1882.

Chap. 214 AN ACT MAKING APPROPRIATIONS FOR THE DOUBLE TRACKING AND IMPROVEMENT OF THE TROY AND GREENFIELD RAILROAD AND HOOSAC TUNNEL.

Be it enacted, etc., as follows :

Double track for railroad and tunnel.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth, to be expended under the direction of the governor and council, for continuing the double tracking of the Troy and Greenfield Railroad and Hoosac Tunnel, to wit: For continuing the double tracking of the Troy and Greenfield Railroad, east of the eastern portal of the Hoosac Tunnel, a sum not exceeding two hundred and fifty thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1882.

Chap. 215 AN ACT FIXING FEES OF OFFICERS FOR SUMMONING WITNESSES IN CRIMINAL CASES.

Be it enacted, etc., as follows :

Fees of officers for summoning witnesses in criminal cases.

SECTION 1. There shall be taxed and allowed to deputy sheriffs, constables and other officers in criminal cases, for summoning witnesses ten cents each, and for travel ten cents a mile each way, for any distance not exceeding twenty miles, and for any excess of distance over twenty miles five cents a mile to be computed each way, and no more; the distance to be computed from the most remote place of service to the place of return; but upon a subpoena the court to which the same is returnable shall reduce the fee for travel to a reasonable amount for the service performed whenever the travel charged has not been actually performed by the officer who has made the service.

SECTION 2. All acts and parts of acts inconsistent with this act are repealed.

SECTION 3. This act shall take effect upon its passage.

Approved May 12, 1882.

Chap. 216 AN ACT IN RELATION TO ASSISTANT HARBOR MASTERS.

Be it enacted, etc., as follows :

Assistant harbor masters may be appointed.

SECTION 1. Assistant harbor masters may be appointed for any harbor in the Commonwealth by the mayor and aldermen of the city or by the selectmen of the town in which such harbor is situated. Such mayor and aldermen or selectmen shall fix the compensation of such assistants, to be paid by their respective city or town, and the assist-

ants so appointed shall continue in office until the appointment of their successors or until their appointments shall have been revoked.

SECTION 2. Such assistants shall be subject to the direction and control of the harbor master of their respective city or town, and shall have all the powers and be subject to all the duties of said harbor master whether given by general or special acts.

To be under direction of the harbor master.

SECTION 3. This act shall take effect upon its passage.

Approved May 12, 1882.

AN ACT PROVIDING FOR RETURNS OF PROPERTY HELD FOR LITERARY, BENEVOLENT, CHARITABLE OR SCIENTIFIC PURPOSES.

Chap. 217

Be it enacted, etc., as follows:

SECTION 1. The notice to be given by assessors under the provisions of section thirty-eight of chapter eleven of the Public Statutes shall require all persons and corporations to bring in to the assessors, within a time therein specified, not later than the first day of July in the then current year, true lists of all real and personal estate held by such persons and corporations respectively for literary, benevolent, charitable or scientific purposes on the first day of May in said year, together with statements of the amounts of all receipts and expenditures by such persons or corporations for said purposes during the year next preceding said first day of May; such lists and statements to be in such detail as may be required by the tax commissioner: *provided*, that the assessors may accept any such list and statement after the time so specified if they shall be satisfied that there was good cause for the delay; but no list or statement shall be received after the first day of August in the then current year.

Notice by assessors to require returns to be made within a specified time.

SECTION 2. If any person or corporation wilfully omits to bring in the list and statement of real and personal estate as herein required, the estate so held shall not be exempt from taxation in the then current year under the provisions of the third clause of section five of said chapter.

Not exempt from taxation unless return is made as required.

SECTION 3. The tax commissioner shall cause to be printed and distributed to assessors suitable printed forms for such lists and statements, and assessors shall forward to the tax commissioner all such lists and statements received by them with the statements required by section ninety of said chapter; and the tax commissioner shall cause to be prepared and submitted with his annual report

Printed forms to be furnished to assessors.

to the general court such an abstract of the particulars contained in such lists and statements as he shall deem for the public interest.

Not to apply to returns to insurance commissioner under P. S. 115, § 11.

SECTION 4. This act shall not apply to corporations making returns to the insurance commissioner under the provisions of section eleven of chapter one hundred fifteen of the Public Statutes.

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

Approved May 12, 1882.

Chap. 218 AN ACT FIXING THE PAYMENT OF COSTS IN APPEALS FOR ABATEMENT OF TAXES.

Be it enacted, etc., as follows:

Costs in appeals for abatement of taxes.

Section seventy-one of chapter eleven of the Public Statutes is amended by adding at the end thereof the following words: "and may make such order relating to the payment of costs as justice may seem to require: *provided*, that taxable costs shall not be allowed to a party who has failed to file a list of his estate as required by law."

Approved May 12, 1882.

Chap. 219 AN ACT TO ABOLISH THE SCHOOL DISTRICT SYSTEM.

Be it enacted, etc., as follows:

School district system abolished.

SECTION 1. The school district system in this Commonwealth is hereby abolished.

Provisions of P. S. 45 to apply.

SECTION 2. The provisions of chapter forty-five of the Public Statutes, so far as the same apply to towns in which the school district system is abolished by vote, shall apply to all towns in which the school district system is abolished by this act.

To take effect Jan. 1, 1883.

SECTION 3. This act shall take effect on the first day of January in the year eighteen hundred and eighty-three.

Approved May 12, 1882.

Chap. 220 AN ACT TO PROHIBIT THE GRANTING OF LICENSES FOR THE SALE OF INTOXICATING LIQUORS ON PREMISES WITHIN A CERTAIN DISTANCE OF PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Licenses not to be granted in building near public school.

SECTION 1. No license of the first, second or third class, under the provisions of chapter one hundred of the Public Statutes, shall be granted for the sale of intoxicating liquors in any building or place on the same street within four hundred feet of any building occupied in whole or in part by a public school.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1882.

AN ACT TO REGULATE THE INSPECTION AND ANALYSIS OF INTOXICATING LIQUORS.

Chap. 221

Be it enacted, etc., as follows :

SECTION 1. The inspector and assayer of liquors, required by chapter one hundred of the Public Statutes to inspect and analyze liquors sent to him as provided in said chapter, shall analyze such liquors as may be sent to him by police officers and other officers authorized by law to make seizures of liquors, and return a certificate, signed by him, to the officer sending the same, stating the percentage of alcohol, by volume, at sixty degrees Fahrenheit, which such samples of liquors contain.

Inspection and analysis of liquors.

SECTION 2. A certificate shall accompany each and every sample of liquor sent by an officer to said inspector and assayer for analysis stating by whom the liquor was seized, the date of the seizure and the name and residence of the officer who seized said liquor. The said inspector and assayer shall note the date of the receipt and the analysis of said liquors upon said certificate, with the percentage of the alcohol, as required by section one of this act. Said certificate may be in the following form : —

Certificate to accompany each sample.

ss

CITY OF (OR TOWN OF) 188 .

Form of certificate.

To the Inspector and Assayer of Liquors for the Commonwealth of Massachusetts.

SIR, I send you herewith a sample of taken from liquors seized by me. (Date) 188 .

Ascertain the percentage of alcohol it contains, by volume, at sixty degrees Fahrenheit, and return to me a certificate herewith upon the annexed form.

Constable of
Police officer of

COMMONWEALTH OF MASSACHUSETTS.

OFFICE OF THE INSPECTOR AND ASSAYER OF LIQUORS,
BOSTON, 188 .

This is to certify that the received by me with the above statement contains per cent. of alcohol, by volume, at sixty degrees Fahrenheit.

Received 188 .
Analysis made 188 .

SEAL.

*Inspector and Assayer of Liquors
for the Commonwealth.*

SECTION 3. The secretary of the Commonwealth shall cause to be provided and shall supply a suitable number of the forms prescribed in section two of this act. The

Secretary to provide forms, etc.

Certificates to be admitted as evidence.

certificate of said inspector and assayer, given under his hand and seal substantially in the form herein before set forth, shall be admitted as evidence on trials for the forfeiture of intoxicating liquors as to the composition and quality of the liquors to which it relates.

Penalty for tampering with samples, etc.

SECTION 4. Any person who shall tamper with samples of liquor taken as herein provided, or shall alter the statements made upon the forms or certificates aforesaid, shall be liable to the penalties provided in section eighteen of chapter one hundred of the Public Statutes.

Court may order analysis by other than the inspector.

SECTION 5. Any court or trial justice may cause liquors seized under the provisions of said chapter to be analyzed by a competent chemist other than said inspector and assayer of liquors, and the reasonable expense thereof, including a fee not exceeding five dollars for each analysis, shall be taxed, allowed and paid like other costs in criminal cases.

SECTION 6. This act shall take effect upon its passage.

Approved May 12, 1882.

Chap. 222 AN ACT IN RELATION TO ADVERTISING APPLICATIONS FOR LIQUOR LICENSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Advertising applications for liquor licenses.

SECTION 1. Section six of chapter one hundred of the Public Statutes is amended by inserting after the words "printed therein," in the fourth line thereof, the words "and in the Charlestown, East Boston, South Boston, Roxbury, West Roxbury, Dorchester and Brighton Districts respectively in said city, in at least one weekly newspaper published in the district where the premises for which the license is asked are located, if there be any so published."

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1882.

Chap. 223 AN ACT RELATING TO THE MAKING AND ENTERING OF DECREES OF DIVORCE.

Be it enacted, etc., as follows :

Decrees of divorce to be first made nisi, to become absolute after six months, without further notice.

SECTION 1. Section nineteen of chapter one hundred and forty-six of the Public Statutes is amended so as to read as follows: "Section 19. All decrees of divorce shall in the first instance be decrees nisi, to become absolute after the expiration of six months from the entry thereof, without further notice thereof by publication or otherwise, on application of either party to the court, or any justice thereof, in term time or vacation; and on such application

the court or justice shall make a final decree, unless the court has for sufficient cause, on application of any party interested, otherwise ordered.”

SECTION 2. This act shall take effect upon its passage.

Approved May 15, 1882.

AN ACT TO LIMIT THE INVESTMENTS OF SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS IN THE STOCK OF BANKS AND BANKING ASSOCIATIONS.

Chap. 224

Be it enacted, etc., as follows:

No savings bank or institution for savings shall hereafter invest or hold as collateral security more than three per cent. of its deposits in the stock of any one bank or banking association such as are described in the fourth clause of section twenty of chapter one hundred and sixteen of the Public Statutes. Any such savings bank or institution for savings which now has more than three per cent. of its deposits invested as aforesaid, shall reduce its investments therein to said limit, on or before the first day of July in the year eighteen hundred and eighty-three.

Investments in the stock of banks limited.

Approved May 15, 1882.

AN ACT TO AMEND “AN ACT TO PREVENT DISCRIMINATION IN FREIGHT RATES BY RAILROAD CORPORATIONS.”

Chap. 225

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-four of the acts of the year eighteen hundred and eighty-two is amended by striking out the first and second sections thereof and inserting instead the following words: “No railroad company shall in its charges for the transportation of freight or in doing its freight business make or give any undue or unreasonable preference or advantage to or in favor of any person, firm or corporation, nor subject any person, firm or corporation to any undue or unreasonable prejudice or disadvantage.”

No discrimination to be made in freight rates.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1882.

AN ACT IN RELATION TO BLANKS FOR CERTAIN COURT RETURNS, AND TO REPORTS OF ARRESTS.

Chap. 226

Be it enacted, etc., as follows:

SECTION 1. The blank forms of the returns required by sections thirty-four and thirty-five of chapter two hundred and nineteen of the Public Statutes shall be fur-

Blank forms of returns to be furnished by commissioners of prisons.

nished by the commissioners of prisons, and shall be in such form as said commissioners shall prescribe.

Monthly reports of arrests to be made to commissioners.

SECTION 2. The police commissioners of the city of Boston, the city marshals or chiefs of police of other cities and of towns, and every officer making an arrest in a city or town not having a chief of police, shall make monthly reports to the commissioners of prisons, showing the number of persons of each sex arrested in their several cities and towns; such returns to be classified according to offences. Said commissioners may in their annual report present such statistics compiled from said reports as they shall deem expedient.

Repeal of P. S. 15, § 15; 219, § 36.

SECTION 3. Section fifteen of chapter fifteen of the Public Statutes and section thirty-six of chapter two hundred and nineteen of the Public Statutes are repealed.

Approved May 16, 1882.

Chap. 227

AN ACT TO ESTABLISH THE DISTRICT COURT OF HAMPSHIRE.

Be it enacted, etc., as follows:

District court of Hampshire.

SECTION 1. The several towns in the county of Hampshire shall constitute a judicial district under the jurisdiction of a court to be called the District Court of Hampshire.

Justices. Salaries.

SECTION 2. There shall be one justice and two special justices of said court; and the justice thereof shall receive from said county a salary of twenty-eight hundred dollars a year.

Sessions of the court.

SECTION 3. Said court shall be held on Monday and Tuesday of each week in the town of Northampton; on the first and third Wednesdays of each month in the town of Amherst; on the second Wednesday of each month in the town of Cummington; on the first and third Thursdays of each month in the town of Belchertown; on the second and fourth Thursdays of each month in the town of Huntington; on the first, second and third Fridays of each month in the town of Ware, and on the second and fourth Saturdays of each month in the town of Easthampton. Other times and places for holding said court for either civil or criminal business may be fixed by the justice thereof by general rule.

Writ may run into any county when one of defendants resides in the district.

SECTION 4. When one of several defendants resides within said district the writ issued by said court may run into any county and be served on the other defendant or defendants fourteen days at least before its return day, in like manner as if issued by the superior court. Except as

herein otherwise provided all the provisions of law applicable in common to police and district courts shall be applicable to said court.

SECTION 5. The first session of said court shall be held on the first Monday in July in the year eighteen hundred and eighty-two; but nothing herein shall affect any suit or other proceeding begun prior to said first Monday in July.

First session of court.

SECTION 6. This act shall take effect upon its passage.

Approved May 16, 1882.

AN ACT TO AUTHORIZE THE SALEM SEAMAN'S ORPHAN AND CHILDREN'S FRIEND SOCIETY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Chap. 228

Be it enacted, etc., as follows:

SECTION 1. The Salem Seaman's Orphan and Children's Friend Society, originally incorporated by chapter eighty-one of the acts of the year eighteen hundred and forty-one, may hold real and personal estate to an amount not exceeding one hundred and fifty thousand dollars.

May hold additional real and personal estate.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1882.

AN ACT TO CONFIRM AND MAKE VALID CERTAIN PROCEEDINGS OF THE FIRST PARISH IN BRIGHTON.

Chap. 229

Be it enacted, etc., as follows:

SECTION 1. The omission by the first parish in Brighton to require the consent in writing of persons wishing to become members of said parish shall not invalidate its organization or the proceedings in the business meetings of said parish.

Proceedings made valid.

SECTION 2. The votes heretofore passed at the business meetings of said parish shall not be held to be invalid for the want of legal record evidence that the clerks thereof have been properly sworn.

Certain votes not invalid.

SECTION 3. This act shall take effect upon its passage.

Approved May 16, 1882.

AN ACT TO CHANGE THE NAME OF THE A. F. TOWLE AND SON MANUFACTURING COMPANY OF NEWBURYPORT.

Chap. 230

Be it enacted, etc., as follows:

SECTION 1. The name of the "A. F. Towle and Son Manufacturing Company," incorporated under the general laws of the Commonwealth and located in the city of New-

Name changed.

buryport, is changed to the "Towle Manufacturing Company."

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1882.

Chap. 231 AN ACT TO ALLOW SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS TO MAKE ADDITIONAL INVESTMENTS.

Be it enacted, etc., as follows:

May make certain additional investments.

In addition to the investments authorized by section twenty of chapter one hundred and sixteen of the Public Statutes, savings banks and institutions for savings may invest their deposits and the income derived therefrom in the legally authorized bonds of the states of Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin and Iowa, and of the District of Columbia, and in the legally authorized bonds, for municipal purposes, of any city in the aforesaid states and in the state of New York, which has at the date of such investment more than fifty thousand inhabitants and whose net indebtedness does not exceed five per cent. of the valuation of the taxable property therein, to be ascertained by the last preceding valuation of property therein, for the assessment of taxes; and in the note or notes of any citizen of this Commonwealth, with a pledge as collateral of any of the aforesaid securities, the amount invested in such note or notes not to exceed in any case eighty per cent. of the market value of the securities pledged.

Approved May 17, 1882.

Chap. 232 AN ACT RELATING TO THE OFFICERS IN ATTENDANCE UPON THE SUPREME JUDICIAL COURT IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

Salaries of officers in attendance.

SECTION 1. The officers in attendance upon the supreme judicial court, in the county of Suffolk, not exceeding four in number including the messenger of the justices of the supreme judicial court in said county, shall each receive in full for all services performed by them an annual salary of fourteen hundred dollars, of which one thousand dollars shall be paid by the said county and four hundred dollars by the Commonwealth.

Compensation of additional officers.

SECTION 2. Any additional officers whose attendance may be hereafter required by the supreme judicial court in the county of Suffolk, shall be paid for travel and for services actually performed, as provided in section sixty-eight of chapter one hundred and fifty-nine of the Public Statutes.

SECTION 3. This act shall take effect upon its passage.

Approved May 18, 1882.

AN ACT TO ESTABLISH THE THIRD AND FOURTH DISTRICT COURTS
OF EASTERN MIDDLESEX AND THE POLICE COURTS OF MARLBOROUGH
AND BROOKLINE.

Chap. 233

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge and the towns of Arlington and Belmont shall constitute a judicial district under the jurisdiction of a court to be called the Third District Court of Eastern Middlesex. Said court shall be held in the city of Cambridge, and shall have a clerk.

Third District
Court of East-
ern Middlesex.

SECTION 2. The towns of Woburn, Winchester and Burlington shall constitute a judicial district, to be called the Fourth District Court of Eastern Middlesex. Said court shall be held in the town of Woburn, and shall have a clerk.

Fourth District
Court of East-
ern Middlesex.

SECTION 3. The town of Marlborough shall constitute a judicial district under the jurisdiction of a court to be called the Police Court of Marlborough; and said court shall have a clerk.

Police court of
Marlborough.

SECTION 4. The town of Brookline shall constitute a judicial district under the jurisdiction of a court to be called the Police Court of Brookline.

Police court of
Brookline.

SECTION 5. There shall be one justice and two special justices of each of said courts, and the said justices and the clerks herein provided for shall be appointed in the manner and with the tenure of office respectively provided in the case of justices and clerks of other police and district courts. All the provisions of law applicable in common to police and district courts shall be applicable to said courts.

Justices and
clerks.

SECTION 6. The justice of the third district court of Eastern Middlesex shall receive from the county of Middlesex an annual salary of twenty-two hundred dollars, and the clerk thereof an annual salary of twelve hundred dollars; the justice of the fourth district court of Eastern Middlesex shall receive from said county an annual salary of twelve hundred dollars, and the clerk thereof an annual salary of six hundred dollars; the justice of the police court of Marlborough shall receive from said county an annual salary of one thousand dollars, and the clerk thereof an annual salary of four hundred dollars; and the justice of the police court of Brookline shall receive from the county of Norfolk an annual salary of eight hundred dollars.

Salaries of
justices and
clerks.

SECTION 7. The first session of each of said courts shall be held on the first Monday in July in the year eighteen hundred and eighty-two.

First sessions of
courts.

Police court of
Cambridge
abolished.

SECTION 8. All proceedings which may be pending before the police court of Cambridge on said first Monday in July shall be transferred to and be determined by the said third district court of Eastern Middlesex; and said police court of Cambridge shall be abolished from that date, and thereafter all provisions of law relating to said police court shall cease to have effect. Except as above provided, nothing in this act shall affect any suit or other proceeding begun prior to said first Monday in July.

SECTION 9. This act shall take effect upon its passage.

Approved May 18, 1882.

Chap. 234 AN ACT CONCERNING MEMORIAL CEMETERY IN THE TOWN OF WESTBOROUGH.

Be it enacted, etc., as follows:

Provisions of
P. S. 82, § 16,
not to apply.

SECTION 1. The provisions of section sixteen of chapter eighty-two of the Public Statutes shall not apply to that part of memorial cemetery in the town of Westborough which is bounded as follows, to wit:— south-easterly on Main Street, twelve feet; south-westerly on land of Christopher Whitney, forty-three feet; and north-easterly on the remaining portion of said cemetery, forty-one feet.

Subject to
acceptance by
the town.

SECTION 2. This act shall take effect upon its acceptance by a majority of the legal voters of said town present and voting thereon at a legal meeting called for the purpose.

Approved May 18, 1882.

Chap. 235 AN ACT IN RELATION TO APPEALS FROM TAXATION OF COSTS IN CIVIL ACTIONS.

Be it enacted, etc., as follows:

Appeals from
taxation of costs
in civil action.

Chapter one hundred and ninety-eight of the Public Statutes is amended by striking out section twenty-five and substituting therefor the following: "Section 25. The appeal shall be heard and determined at the next term or session unless the party who recovers costs elects to have it determined by one of the justices in vacation and gives reasonable notice thereof to the adverse party; in which case it shall be so determined. If however in any case costs are taxed before the expiration of any term the appeal shall be heard before the final adjournment thereof by the justice holding said term after reasonable notice to the adverse party; and the judgment shall be considered as rendered when costs are finally taxed and allowed except as is provided in the following section."

Approved May 18, 1882.

AN ACT RELATING TO THE ILLEGAL TAKING AND USING OF HORSES
AND CARRIAGES.

Chap. 236

Be it enacted, etc., as follows:

Whoever at any time hires a horse or carriage, and, with intent to cheat and defraud the owner thereof, makes to the owner or his agent at the time of such hiring a false statement of the distance which he proposes to travel with such horse or carriage; or with such intent to cheat or defraud makes to the owner or his agent, after the use of a horse or carriage, a false statement of the distance which he has actually travelled with such horse or carriage; and whoever, with intent to cheat and defraud the owner thereof, refuses to pay for the use of any horse or carriage the lawful hack or carriage fare established therefor by any city or town, shall be punished for each offence by a fine not exceeding twenty dollars, or by imprisonment in the jail not exceeding two months, or by both such fine and imprisonment.

*Approved May 18, 1882.*Penalty for
illegal use of
horses and
carriages.

AN ACT RELATING TO THE SETTLEMENT OF TITLES TO REAL ESTATE.

Chap. 237

Be it enacted, etc., as follows:

When the record title of real estate is encumbered by an undischarged mortgage, and the mortgagor and those having his estate in the premises have been in uninterrupted possession of such real estate for twenty years after the expiration of the time limited in the mortgage for the full performance of the conditions thereof, he or they may apply to the supreme judicial court by petition, setting forth the facts, and asking for a decree as hereinafter provided; and if after notice to all persons interested, by publication or otherwise as the court may order, no evidence is offered of any payment on account of the debt secured by said mortgage within said twenty years, or of any other act within said time in recognition of its existence as a valid mortgage, the court may enter a decree setting forth such facts and its findings in relation thereto, which decree shall, within thirty days, be recorded in the proper registry of deeds, and thereafter no action shall be brought by any person to enforce a title under said mortgage.

Approved May 18, 1882.

After possession of estate for twenty years by mortgagor, action to enforce title barred, upon entry of a decree by the court.

Chap. 238 AN ACT TO PROVIDE FOR THE PREPARATION OF TABLES AND INDEXES RELATING TO THE STATUTES OF THE PRESENT YEAR AND SUBSEQUENT YEARS.

Be it enacted, etc., as follows:

Table of changes in general statutes to be annually prepared.

SECTION 1. The governor shall each year cause to be prepared, by such skilled person as he may appoint, tables showing what general statutes have been affected by subsequent legislation in such manner as to furnish ready reference to all changes in such statutes; and he shall also cause to be prepared suitable indexes to the legislation of the year. The compensation for the services herein provided for shall be fixed by the governor and council.

Tables and index to be printed with the laws.

SECTION 2. The tables and indexes prepared as aforesaid shall be printed in such editions of the laws hereafter published by the Commonwealth as the governor may direct.

Repeal.

SECTION 3. Chapter eighteen of the resolves of the year eighteen hundred and sixty-seven, and so much of section one of chapter four hundred and six of the acts of the year eighteen hundred and seventy-four as relates to the supplement to the general statutes, are hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved May 18, 1882.

Chap. 239 AN ACT CONCERNING THE ESTABLISHMENT OF EXCEPTIONS BY THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

Establishment of exceptions by S. J. C.

SECTION 1. Section thirteen of chapter one hundred and fifty-three of the Public Statutes shall apply to any case in which a justice of the supreme judicial or superior court from physical or mental disability or death has failed to sign and return exceptions as therein provided.

Exceptions may be established if judge from disability fails to sign and return the same.

SECTION 2. In any case in which exceptions have been taken, but the justice has failed to sign or return the same by reason of physical or mental disability or death, the party taking the exceptions may apply to the supreme judicial court at the law term holden for the county in which the case is pending, next after knowledge of such disability or death shall have come to the excepting party, for leave to establish said exceptions; and said court may entertain such application, and hear the exceptions when established as in cases already provided for by existing statutes and by the rules of the supreme judicial court.

Court may

SECTION 3. The supreme judicial court may adapt its

rules for establishing exceptions to cases arising under section one of this act.

adapt its rules,
etc.

SECTION 4. This act shall take effect upon its passage.

Approved May 18, 1882.

AN ACT TO PROVIDE FOR THE SALE OR EXCHANGE OF THE SHARES OF THE COMMONWEALTH IN THE STOCK OF THE NEW YORK AND NEW ENGLAND RAILROAD COMPANY.

Chap. 240

Be it enacted, etc., as follows :

SECTION 1. The treasurer of the Commonwealth may at any time, subject to the approval of the governor and council, sell the whole of the shares in the capital stock of the New York and New England Railroad Company held by the Commonwealth, or may, subject to such approval, sell from time to time any portion of said shares; or he may, subject to such approval, at any time assign and transfer said shares to the New York and New England Railroad Company in exchange for bonds secured by mortgage, such as are hereinafter described: and upon such assignment and transfer to said corporation the shares so assigned and transferred shall be held by it and may be disposed of as its absolute property free from any lien or trust.

Treasurer may sell or exchange shares in capital stock with the approval of the governor and council.

SECTION 2. The treasurer of the Commonwealth shall forthwith, upon the passage of this act, and before selling or offering to sell said shares to any other party, offer to the New York and New England Railroad Company to assign and transfer the same to said corporation in exchange for bonds such as are hereinafter authorized, at the rate of fifty dollars in bonds, at their face value, for each share of stock; and if said corporation shall, by a majority of votes cast at a meeting of the stockholders duly called for the purpose, decide to purchase said shares on said terms, and shall authorize the issue of bonds and the making of a mortgage to secure the same as herein-after provided, and if bonds to the required amount, duly secured by a valid mortgage, shall be made and tendered to the treasurer of the Commonwealth at any time within three months after the making of such offer, then said shares shall thereupon be assigned and transferred to said corporation, and shall thereafter be held by said corporation, and may be disposed of by it as its absolute property, free from any lien or trust. At such meeting the stock now owned by the Commonwealth shall not be voted upon.

To offer to transfer stock to the company in exchange for bonds, before selling.

Company may issue bonds, and secure the same by mortgage.

SECTION 3. For the purpose of making the exchange as above provided, the New York and New England Railroad Company may issue coupon or registered bonds for one thousand dollars each, in pieces of one thousand dollars, or of such multiples thereof as the treasurer of the Commonwealth may request, payable twenty years from the date thereof, with interest semi-annually at the rate of six per centum per annum, to an amount sufficient to pay for said shares, and shall secure the said bonds by a mortgage of its road, franchise, equipment and other property which shall be approved by the governor and council, and made to three trustees, who shall be so approved, and of whom two at least shall at all times be residents of the Commonwealth. Such mortgage shall be made expressly subject to the incumbrance of any legally authorized mortgage already existing; and there shall be issued to the said trustees bonds of an amount equal to the amount of the outstanding unsecured debts of said corporation to be reserved in the keeping of said trustees for the security of the holders of such debts until their discharge, or to be turned over to such holders in discharge thereof; and if suitable provisions to secure such reservation and disposition of such bonds shall be embraced in such mortgage, it shall be deemed a sufficient compliance with section sixty-four of chapter one hundred and twelve of the Public Statutes. Such mortgage shall also contain suitable provisions to secure the application of the proceeds of said bonds for the purposes set forth in this act, and for no other purposes. If an assignment and transfer shall be made to said corporation under the provisions of the preceding section, settlement for the shares so assigned and transferred shall be made as of the first day of August in the year eighteen hundred and eighty-two, and the bonds issued therefor shall bear that date.

Bonds in the whole not to exceed \$5,000,000.

SECTION 4. After the sale or assignment of said shares as herein before provided, said corporation may from time to time, for the purpose of procuring equipment, increasing its terminal facilities, laying a second track and providing for its outstanding unsecured liabilities, issue like bonds, secured by such mortgage, to an amount which, together with those issued by authority of the preceding section, shall not exceed five million dollars.

Proceeds of sale, etc., to be paid into the Boston, Hartford and Erie Railroad loan sinking fund.

SECTION 5. Upon the sale or exchange of such shares the proceeds arising therefrom shall be paid into the Boston, Hartford and Erie Railroad loan sinking fund, established under the provisions of section four of chapter four

hundred and fifty of the acts of the year eighteen hundred and sixty-nine; and when said fund, with its accumulations, amounts to a sum sufficient to pay the bonds issued under the provisions of said chapter and of chapter two hundred and eighty-four of the acts of the year eighteen hundred and sixty-seven, the surplus and income thereof shall from time to time thereafter be paid into the Troy and Greenfield Railroad loan sinking fund, established under the provisions of chapter two hundred and twenty-six of the acts of the year eighteen hundred and fifty-four and of chapter one hundred and seventeen of the acts of the year eighteen hundred and fifty-nine.

SECTION 6. This act shall take effect upon its passage.

Approved May 19, 1882.

AN ACT IN RELATION TO TRANSFERS AND SENTENCES OF PRISONERS.

Chap. 241

Be it enacted, etc., as follows:

SECTION 1. Whoever is convicted of an offence punishable by imprisonment in a house of correction may be sentenced to suffer such imprisonment in a jail, instead of a house of correction.

Convict punishable in house of correction may be sentenced to jail.

SECTION 2. Any prisoner confined in a jail upon a sentence of imprisonment may be removed to a house of correction, and any prisoner confined in a house of correction upon a sentence of imprisonment may be removed to a jail, in the manner now provided by law for the removal of prisoners from one house of correction to another, and a prisoner so removed shall serve in the jail or house of correction to which he shall be removed, the remainder of his term of sentence.

Prisoners in jail and house of correction may be removed from each to the other.

SECTION 3. This act shall take effect upon its passage.

Approved May 19, 1882.

AN ACT TO FIX THE HOURS OF CLOSING PREMISES OCCUPIED BY COMMON VICTUALLERS.

Chap. 242

Be it enacted, etc., as follows:

SECTION 1. Every common victualler holding a license under the provisions of chapter one hundred of the Public Statutes, shall keep the premises described in such license closed between the hours of twelve at night and five in the morning.

To keep premises closed between hours of twelve at night and five in the morning.

SECTION 2. Whoever violates the provisions of this act shall be liable to the penalties provided in section eighteen of chapter one hundred of the Public Statutes.

Penalty.

Approved May 19, 1882.

Chap. 243 AN ACT CONCERNING THE REDEMPTION OF ESTATES SOLD FOR TAXES AND OTHER ASSESSMENTS.

Be it enacted, etc., as follows:

Holder of title, if a resident, to file with treasurer, etc., a statement showing his residence and place of business.

Non-resident holders to have a resident agent or attorney authorized to execute a release.

Service of process upon agent deemed to be sufficient service upon holder.

Liability of city, town, etc.

SECTION 1. Every person acquiring or holding title to real estate under a sale for the non-payment of any tax or other assessment, who is a resident of the city or town wherein such real estate is situated, shall file with the treasurer of the city or town, and with the register of deeds of the county wherein such real estate is situated, a brief statement showing his place of residence and of business, specifying in each case, if practicable, the street and the number in the street. Every person acquiring or holding title to real estate as above who is not a resident of the city or town wherein such real estate is situated, or who removes from such city or town, shall appoint and have some suitable agent or attorney residing therein or in the city or town wherein the deed of such real estate is recorded, duly authorized to release such real estate in accordance with the provisions of law providing for such cases, and shall file with the treasurer of such city or town and with such register of deeds such original and additional statements containing the name of any such agent or attorney and his place of residence and of business, as is herein required in the case of resident purchasers or holders; and whenever such person changes his place of residence or business, or his attorney, a new certificate as above shall be filed.

SECTION 2. Any lawful tender of payment to and service of process upon such agent or attorney shall be deemed sufficient tender to or service upon the purchaser or holder of such real estate; and if upon reasonable search such purchaser, holder, agent or attorney cannot be found at the place described as herein before provided, or being found neglects or refuses to release such estate upon the terms and in the manner provided by law, or if such holder or purchaser neglects to file a certificate as required by the preceding section, such real estate may be redeemed in the manner provided in sections fifty and fifty-one of chapter twelve of the Public Statutes.

SECTION 3. No city or town and no collector or treasurer of a city or town shall, under the provisions of section thirty-nine of chapter twelve of the Public Statutes, pay or be liable for the amount due upon any deed therein referred to or for any part thereof unless the offer of the holder of such deed contains a specific statement of the

reason why such holder has no claim on the estate sold, with the evidence on which he relies; and if such evidence is based upon any public record or upon facts shown in any such record, the statement above required shall contain a specific reference to the particular instrument relied upon. All existing deeds may under the provisions of this section be offered for surrender and discharge, assignment or transfer, for one year from the passage of this act but not afterwards.

Approved May 19, 1882.

AN ACT TO AUTHORIZE THE FORMATION OF RELIEF SOCIETIES BY
THE EMPLOYÉS OF RAILROAD AND STEAMBOAT CORPORATIONS.

Chap. 244

Be it enacted, etc., as follows:

SECTION 1. Seven or more persons within this Commonwealth, employés of any railroad or steamboat corporation existing under the laws of this Commonwealth, who associate themselves together by such an agreement in writing as is described in section three of chapter one hundred and fifteen of the Public Statutes, with the intention of forming a corporation for the purpose of receiving, managing and applying such property and funds as it may receive by contribution, assessment or otherwise, for the improvement and benefit of its members and for the relief of its members and their families in case of sickness, injury, inability to labor or other cases of need, and upon complying with the provisions of section four of said chapter shall be and remain a corporation with all the rights, powers, privileges and immunities, and subject to all the duties, liabilities and restrictions of corporations organized under said chapter.

Relief societies may be formed by employés of railroad and steamboat corporations.

SECTION 2. The by-laws of any such corporation shall be approved by the board of railroad commissioners and shall prescribe the manner in which and the officers and agents by whom the purpose of its incorporation may be carried out, and also the manner in which its property may be invested. Such corporation shall make to the board of railroad commissioners annually and as often as required by said board such statements of its membership and financial transactions with other information relating thereto as the said board may deem necessary to a proper exhibit of its business and standing.

By-laws to be approved by the railroad commissioners.

SECTION 3. The board of railroad commissioners may verify such statement by an examination of the books and papers of the corporation; and whoever having charge or custody of such books and papers neglects to comply with the provisions of this section and the preceding section

Books and papers may be examined by the commissioners.

shall be punished by a fine not exceeding five hundred dollars.

SECTION 4. This act shall take effect upon its passage.

Approved May 19, 1882.

Chap. 245 AN ACT RELATING TO THE SALARIES OF CERTAIN JUSTICES AND COURT OFFICERS.

Be it enacted, etc., as follows:

SALARIES OF CERTAIN JUSTICES AND COURT OFFICERS.

SECTION 1. Section sixty-four of chapter one hundred and fifty-four of the Public Statutes is amended so that the salaries of the justices, clerks, assistant clerk and constables hereinafter named shall be respectively as follows: Of the police court of Fitchburg, the salary of the justice shall be twelve hundred dollars a year, and of the clerk seven hundred dollars a year; of the police court of Haverhill, the salary of the justice shall be eighteen hundred dollars a year, and of the clerk eight hundred dollars a year; of the police court of Newburyport, the salary of the justice shall be twelve hundred dollars a year, and of the clerk seven hundred dollars a year; of the police court of Somerville, the salary of the justice shall be fourteen hundred dollars a year, and the salary of the clerk shall be eight hundred dollars a year; of the district court of Central Berkshire, the salary of the clerk shall be eight hundred dollars a year; of the first district court of Essex, the salary of the justice shall be eighteen hundred dollars a year, and of the clerk thirteen hundred dollars a year; of the first district court of Eastern Middlesex, the salary of the justice shall be fifteen hundred dollars a year; of the central district court of Worcester, the salary of the assistant clerk shall be one thousand dollars a year; of the second district court of Eastern Worcester, the salary of the justice shall be one thousand dollars a year, and of the clerk five hundred dollars a year; of the third district court of Southern Worcester, the salary of the justice shall be sixteen hundred dollars a year; of the municipal court of the city of Boston, the salary of the clerk of the court for civil business shall be three thousand dollars a year, the salaries of the two constables in the civil sessions shall be eleven hundred dollars each a year, and of the six constables in the criminal sessions thirteen hundred dollars each a year; of the municipal court of the East Boston district, the salary of the justice shall be fifteen hundred dollars, and that of the clerk shall be eleven hundred dollars a year, and of the constable eleven hundred dollars a

year; of the municipal court of the South Boston district, the salary of the justice shall be two thousand dollars a year, of the clerk fourteen hundred dollars a year, and the salaries of the constables shall be eleven hundred dollars each a year; of the municipal court of the Roxbury district, the salaries of the constables shall be eleven hundred dollars each a year.

SECTION 2. Section fifteen of chapter seventeen of the Public Statutes is amended so that the salaries of the first and second assistant district-attorneys for the Suffolk district shall be twenty-five hundred dollars each a year.

Salaries of first and second assistant district attorneys for Suffolk.

SECTION 3. Section sixty-nine of chapter one hundred and fifty-nine of the Public Statutes is amended so that the officers in attendance upon the sessions of the superior court for civil and criminal business in the county of Suffolk shall each receive an annual salary of fifteen hundred dollars in full for all services performed by them.

Salaries of officers in attendance upon superior court in Suffolk.

SECTION 4. This act shall take effect upon its passage.

Approved May 19, 1882.

AN ACT IN RELATION TO LAW LIBRARY ASSOCIATIONS.

Chap. 246

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter forty of the Public Statutes, providing for annual payments to the law library associations of the several counties, is amended by striking out in the fourth line thereof the words "fifteen hundred dollars," and inserting in place thereof the words "two thousand dollars." This act shall apply to all sums paid into the county treasuries by the clerks of the courts on and after the first day of January in the year eighteen hundred and eighty-two.

Annual payments by county treasurers to law library associations.

SECTION 2. This act shall take effect upon its passage.

Approved May 19, 1882.

AN ACT RELATING TO THE CORRECTION OF NAMES UPON TAX BILLS, AND TO THE REGISTRATION OF VOTERS IN CITIES.

Chap. 247

Be it enacted, etc., as follows:

SECTION 1. In the several cities of this Commonwealth, except the city of Boston, all errors in names upon tax bills of persons assessed shall be corrected by the board of assessors or the board acting as registrars of voters on said tax bills, and also on forms of certificates specially prepared for the purpose; and every tax bill so changed, together with the certificate, shall be stamped with an official stamp of the board making such change before the person

Correction of errors in names upon tax bills.

whose tax bill is so changed shall be allowed to register as a voter. All certificates of names so changed shall be sent to the collector of taxes, who shall, as soon as may be after the first day of January in each year, make corresponding changes or corrections on the list of assessed polls committed to him by the board of assessors. The collector shall also transmit said certificates to the board of assessors, who shall, before the first day of March in each year, make corresponding changes or corrections on the proper books in their department: *provided, however*, that nothing herein shall be construed as repealing or in any way modifying the laws relative to the correction of assessed names and registration in the city of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1882.

Chap. 248 AN ACT TO INCORPORATE THE LONGFELLOW MEMORIAL ASSOCIATION.

Be it enacted, etc., as follows:

- Corporators.** SECTION 1. James Russell Lowell, Oliver Wendell Holmes, John G. Whittier, Charles W. Eliot, William D. Howells, Charles E. Norton, Charles Deane, John C. Dodge, Charles F. Choate, Charles Theodore Russell, Morrill Wyman, Thomas W. Higginson, James A. Fox, Arthur Gilman, Asa Gray, Alexander Mackenzie, James B. Thayer, Israel M. Spelman, Chauncy Smith, Henry Van Brunt, Francis J. Child, John Bartlett, their associates and successors, are incorporated by the name of the Longfellow Memorial Association, for the purpose of providing suitable memorials to the late Henry W. Longfellow and of arranging for their care and preservation, with the powers and privileges and subject to the duties set forth in all general laws which now are or hereafter may be in force relating to like corporations.
- Name and purpose.**
- Powers and duties.**
- May hold real and personal estate.** SECTION 2. The said corporation may take and hold by gift, grant or devise such real estate and personal property as may be necessary or convenient to promote the objects of the corporation.
- Property to be exempt from taxation.** SECTION 3. The property to be held by said corporation shall be exempt from taxation in the same manner and to the same extent as the property of literary, benevolent, charitable and scientific institutions incorporated within this Commonwealth is now exempt by law.
- SECTION 4. This act shall take effect upon its passage.

Approved May 23, 1882.

AN ACT RELATIVE TO THE STAYING OR SUPERSEDING OF EXECUTIONS BY WRITS OF REVIEW.

Chap. 249

Be it enacted, etc., as follows :

SECTION 1. Section thirty-nine of chapter one hundred and eighty-seven of the Public Statutes, relative to the staying or superseding of executions by writs of review, is amended by inserting after the word "entered" in the eleventh line thereof, the following words: "The court or justice may also order a stay or *supersedeas* without security when the defendant has had no actual knowledge, before judgment was entered, of the pendency of the action against him."

Stay of execution without security, when defendant had no knowledge of action before judgment was entered.

SECTION 2. This act shall take effect upon its passage.

Approved May 23, 1882.

AN ACT RELATING TO THE INSPECTION AND SALE OF CERTAIN OILS.

Chap. 250

Be it enacted, etc., as follows :

Section seven of chapter fifty-nine of the Public Statutes is amended so that the same shall read as follows: "No person shall sell or keep for sale at retail, for illuminating purposes, any kerosene, refined petroleum, or any product of petroleum, unless the same has been inspected and approved by an inspector duly authorized by some city or town in this Commonwealth; but the city council of any city and any town may adopt such ordinances, by-laws and regulations in relation to the inspection thereof, within the corporate limits of such city or town, as they may deem reasonable, not inconsistent with the provisions of chapter one hundred and two of the Public Statutes. Any person violating the provisions of this section shall be subject to fine and imprisonment in the manner provided in the preceding section." *Approved May 25, 1882.*

Kerosene, etc., not to be sold at retail unless inspected.

Inspection may be regulated by cities and towns.

AN ACT RELATING TO CO-OPERATIVE SAVING FUND AND LOAN ASSOCIATIONS.

Chap. 251

Be it enacted, etc., as follows :

SECTION 1. Chapter one hundred and seventeen of the Public Statutes is amended as follows: — By striking out section eight and inserting in place thereof the following words: "Shares may be withdrawn after one month's notice of such intention written in a book held and provided by the corporation for the purpose. Upon such withdrawal, the shareholder's account shall be settled as follows: from the amount then standing to the credit of

Co-operative saving fund and loan associations.

Provisos.

the shares to be withdrawn there shall be deducted all fines, a proportionate part of any unadjusted loss, together with such proportion of the profits previously credited to the shares as the by-laws may provide, and such shareholder shall be paid the balance: *provided*, that at no time shall more than one-half of the funds in the treasury be applicable to the demands of withdrawing members, without the consent of the directors. The directors may at their discretion, under rules made by them, retire the unpledged shares of any series, at any time after four years from the date of their issue, by enforcing the withdrawal of the same: *provided*, that the shareholders whose shares are to be retired shall be determined by lot, and that they shall be paid the full value of their shares, less all fines and a proportionate part of any unadjusted loss:” By adding to section nine the following words: “And that before paying matured shares all arrears and fines shall be deducted:” By striking out section sixteen and inserting in place thereof the following words: “If a borrowing member is in arrears for dues, interest, premium or fines for more than six months, the directors may, at their discretion, declare the shares forfeited after one month’s notice, if the arrears continue unpaid. The account of such borrowing member shall then be debited with the arrears of interest and fines to date of forfeiture, and the shares shall be credited upon the loan at their withdrawing value. The balance of the account may and after six months shall be enforced against the security, and be recovered as secured debts are recovered at law.”

Interest may be paid on loans instead of premiums.

SECTION 2. Any corporation organized under said chapter one hundred and seventeen may provide in its by-laws that the bid for loans at its stated monthly meetings shall, instead of a premium, be a rate of annual interest upon the sum desired payable in monthly instalments. Such bids shall include the whole interest to be paid, and may be at any rate not less than five per centum per annum.

SECTION 3. This act shall take effect upon its passage.

Approved May 25, 1882.

Chap. 252 AN ACT RELATING TO THE CONSTRUCTION, USE AND INSPECTION OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Building, etc., of elevators, may be regulated in Boston.

SECTION 1. The city of Boston may by ordinance regulate the building, management and inspection of elevators, hoistways and elevator shafts in said city.

SECTION 2. The said city may by ordinance require the registration of all persons carrying on the business of plumbing in said city, and prescribe rules and regulations for the materials, construction, alteration and inspection of all pipes, tanks, faucets, valves and other fixtures by and through which water and sewage is used and carried, and provide that no such pipes, tanks, faucets, valves or other fixtures shall be placed in any building in said city except in accordance with plans which shall be approved by the inspector of buildings of said city.

Registration of plumbers.

SECTION 3. No person shall erect, place, construct or cause to be erected, placed or constructed, or begin to erect, place or construct any window or other projection into or over any public highway, street, bridge or square in said city, except that the board of aldermen, after due notice and hearing before said board or a committee thereof, may permit the building of a window or other projection as aforesaid in such manner as shall be approved by the inspector of buildings: *provided*, that such window or other projection shall not affect the vested right of any person.

Windows, etc., not to be built into or over streets, except by permission of board of aldermen.

SECTION 4. In the erection of any building in said city within the building limits, so called, established by the city council, if the material of which the external wall is composed is other than brick or stone, the thickness and method of construction shall be such as the inspector of buildings shall determine.

Thickness of external walls other than of brick or stone.

SECTION 5. The facts and returns relative to steam boilers required to be ascertained and made to the tax commissioner by section ninety-two of chapter eleven of the Public Statutes shall be ascertained and made in the city of Boston by the inspector of buildings and not by the assessors.

Returns relative to steam boilers to be made by inspector of buildings.

SECTION 6. The said city may impose penalties not exceeding fifty dollars for each offence for any violation of the provisions contained in sections one and two of this act.

Penalties.

SECTION 7. Any person who shall violate the provisions of section three of this act shall upon the application of the inspector of buildings of said city be liable to the processes of law and equity set forth in section twenty-three of chapter three hundred and seventy-one of the acts of the year eighteen hundred and seventy-two.

Liability for violation of provisions of section three.

SECTION 8. Chapter one hundred and seventeen of the acts of the year eighteen hundred and eighty-one is repealed.

Repeal.

SECTION 9. This act shall take effect upon its passage.

Approved May 25, 1882.

Chap. 253 AN ACT TO DIVIDE THE COMMONWEALTH INTO DISTRICTS FOR THE CHOICE OF REPRESENTATIVES IN THE CONGRESS OF THE UNITED STATES.

Be it enacted, etc., as follows :

Twelve districts for choice of representatives in congress.

SECTION 1. For the purpose of electing representatives in the forty-eighth congress of the United States, and in each subsequent congress until otherwise provided by law, the Commonwealth shall be divided into twelve districts, each of which shall elect one representative.

District No. One.

SECTION 2. The said twelve districts shall be as follows, to wit:— *Number One.* The several towns in the counties of Barnstable, Dukes and Nantucket, and the towns of Acushnet, Dartmouth, Dighton, Fairhaven, Free-town, Rehoboth, Seekonk, Somerset, Swanzey and Westport, and the cities of Fall River and New Bedford, in the county of Bristol, and the towns of Lakeville, Marion, Mattapoisett, Middleborough, Rochester and Wareham, in the county of Plymouth, shall form one district, to be called district number one. *Number Two.* The towns of Attleborough, Berkley, Easton, Mansfield, Norton and Raynham, and the city of Taunton, in the county of Bristol, the towns of Braintree, Canton, Cohasset, Holbrook, Quiney, Randolph, Sharon, Stoughton and Weymouth, in the county of Norfolk, and the city of Brockton, in the county of Abington, Bridgewater, Carver, Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Marshfield, Pembroke, Plymouth, Plympton, Rockland, Scituate, South Abington, South Scituate and West Bridgewater, in the county of Plymouth, shall form one district, to be called district number two. *Number*

District No. Two.

District No. Three.

Three. The wards numbered eleven, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, and precincts three and four of ward fifteen, in the city of Boston, in the county of Suffolk, and the town of Milton, in the county of Norfolk, shall form one district, to be called district number three. *Number Four.* The wards numbered one, two, six, seven, twelve, thirteen, fourteen and sixteen, and precincts two, three and four of ward eight, and precincts one and two of ward fifteen, in the city of Boston, in the county of Suffolk, shall form one district, to be called district number four. *Number Five.* The wards numbered nine, ten and twenty-five, and precinct one of ward eight, in the city of Boston, in the county of Suffolk, and the cities of Somerville and Cambridge, and the towns of Watertown, Belmont, Wal-

District No. Four.

District No. Five.

tham, Arlington, Lexington, Burlington and Woburn, in the county of Middlesex, shall form one district, to be called district number five. *Number Six.* The wards numbered three, four and five, in the city of Boston, and the city of Chelsea, and the towns of Revere and Winthrop, in the county of Suffolk, the city of Malden, and the towns of Everett, Medford, Winchester, Stoneham, Melrose, Wakefield and Reading, in the county of Middlesex, and the towns of Nahant, Saugus and Swampscott, and the city of Lynn, in the county of Essex, shall form one district, to be called district number six. *Number Seven.* The cities of Gloucester, Haverhill, Newburyport and Salem, and the towns of Amesbury, Beverly, Boxford, Bradford, Danvers, Essex, Georgetown, Groveland, Hamilton, Ipswich, Lynnfield, Manchester, Marblehead, Merrimac, Middleton, Newbury, Peabody, Rockport, Rowley, Salisbury, Topsfield, Wenham and West Newbury, in the county of Essex, shall form one district, to be called district number seven. *Number Eight.* The city of Lawrence, and the towns of Methuen, North Andover and Andover, in the county of Essex, the city of Lowell, and the towns of Acton, Ashby, Ayer, Bedford, Billerica, Boxborough, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Groton, Littleton, North Reading, Pepperell, Shirley, Stow, Tewksbury, Townsend, Tyngsborough, Westford and Wilmington, in the county of Middlesex, and the towns of Bolton, Harvard, Lancaster and Lunenburg, in the county of Worcester, shall form one district, to be called district number eight. *Number Nine.* The towns of Blackstone, Mendon, Milford, Westborough, Southborough, Northborough, Berlin and Clinton, in the county of Worcester, and the towns of Brookline, Dedham, Dover, Franklin, Medfield, Medway, Needham, Norwood, Wellesley, Walpole, Norfolk, Foxborough, Wrentham, Bellingham and Hyde Park, in the county of Norfolk, and the towns of Ashland, Framingham, Holliston, Hopkinton, Natick, Sherborn, Wayland, Weston, Hudson, Marlborough, Sudbury, Maynard and Lincoln, and the city of Newton, in the county of Middlesex, shall form one district, to be called district number nine. *Number Ten.* The towns of Auburn, Barre, Boylston, Brookfield, Charlton, Douglas, Dudley, Grafton, Hardwick, Holden, Leicester, Millbury, New Braintree, Northbridge, North Brookfield, Oakham, Oxford, Paxton, Princeton, Rutland, Shrewsbury, Southbridge, Spencer, Sterling, Sturbridge, Sutton, Upton, Uxbridge, Warren, Webster,

District No.
Six.District No.
Seven.District No.
Eight.District No.
Nine.District No.
Ten.

West Boylston, West Brookfield, and the city of Worcester, in the county of Worcester, and the towns of Brimfield, Holland and Wales, in the county of Hampden, shall form one district, to be called district number ten.

District No.
Eleven.

Number Eleven All the towns in the county of Franklin, all the towns in the county of Hampshire, the city of Holyoke, in the county of Hampden, the towns of Ashburnham, Athol, Dana, Gardner, Hubbardston, Leominster, Petersham, Phillipston, Royalston, Templeton, Westminster, Winchendon, and the city of Fitchburg, in the county of Worcester, shall form one district, to be called

District No.
Twelve.

district number eleven. *Number Twelve.* All the towns in the county of Berkshire, the towns of Agawam, Blandford, Chester, Chicopee, Granville, Hampden, Longmeadow, Ludlow, Monson, Montgomery, Palmer, Russell, Southwick, Tolland, Westfield, West Springfield, Wilbraham, and the city of Springfield, in the county of Hampden, shall form one district, to be called district number twelve.

Repeal.

SECTION 3. All acts inconsistent herewith are repealed. This act shall take effect upon its passage.

Approved May 25, 1882.

Chap. 254 AN ACT TO CONFIRM THE PROCEEDINGS OF THE TOWN MEETING OF THE TOWN OF HOPKINTON.

Be it enacted, etc., as follows:

Proceedings of
town meeting
confirmed.

SECTION 1. The proceedings of the town meeting of the town of Hopkinton, held on the twenty-fourth day of April in the year eighteen hundred and eighty-two, shall not be invalid by reason of failure to notify and hold said meeting in accordance with the by-laws of said town.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1882.

Chap. 255 AN ACT AUTHORIZING TOWNS AND CITIES TO PROVIDE FOR THE PRESERVATION AND REPRODUCTION OF FORESTS.

Be it enacted, etc., as follows:

Preservation
and culture of
forest trees
by cities and
towns.

SECTION 1. The voters of any town, at a meeting legally called for the purpose, and the city council of any city, may, for the purpose of devoting a portion of the territory of such town or city to the preservation, reproduction and culture of forest trees for the sake of the wood and timber thereon, or for the preservation of the water supply of such town or city, take or purchase any land within the limits of such town or city, may make

appropriations of money for such taking or purchase, may receive donations of money or land for the said purposes, and may make a public domain of the land so devoted, subject to the regulations hereinafter prescribed. The title of all lands so taken, purchased or received shall vest in the Commonwealth, and shall be held in perpetuity for the benefit of the town or city in which such land is situated.

SECTION 2. A town or city taking land under this act shall, within sixty days after such taking, file and cause to be recorded in the registry of deeds for the county or district in which the land is situated a description thereof sufficiently accurate for identifying the same. In case such town or city and the owner of such land do not agree upon the damage occasioned by such taking, such damage shall be ascertained and determined in the manner provided in case of the taking of land for a highway in such town or city, and such town or city shall thereupon pay such sums as may finally be determined to be due.

Description of the land taken to be recorded in the registry of deeds.

SECTION 3. The state board of agriculture shall act as a board of forestry, without pay, except for necessary travelling expenses, and shall have the supervision and management of all such public domains, and shall make all necessary regulations for their care and use and for the increase and preservation of the timber, wood and undergrowth thereon, and for the planting and cultivating of trees therein. The said board shall appoint one or more persons, to be called keepers, to have charge, subject to its direction, of each such public domain, enforce its regulations and perform such labor thereon as said board shall require; and said keepers shall have the same power to protect such domain from injury and trespass, and to keep the peace therein as constables and police officers in towns.

Board of forestry to serve without pay; to appoint keepers.

SECTION 4. Said board may lease any building that may be on any such public domain on such terms as it shall deem expedient. All sums which may be derived from rents and from the sale of the products of any such domain shall be paid to said board and shall be applied by it, so far as necessary, to the management, care, cultivation and improvement of such domain; and any surplus remaining in any year shall be paid over to the city or town in which such domain is situated. Said board shall not, however, expend upon or on account of any such public domain in any year a greater amount than it receives as aforesaid.

May lease buildings on land.

Proceeds of sale of products to be paid to board.

SECTION 5. A city or town in which any such public

Buildings for

instruction and recreation may be built.

domain is situated may erect thereon any building for public instruction or recreation, provided that such use thereof is not in the judgment of said board inconsistent with the purposes expressed in section one.

No land to be taken, etc., until appropriation is made.

SECTION 6. No land shall be taken or purchased, no building shall be erected on any such domain, and no expenditures shall be authorized or made, or liability be incurred under this act by any city or town until an appropriation sufficient to cover the estimated expense thereof shall in a town have been made by a vote of two-thirds of the legal voters of such town present and voting in a legal town meeting called for the purpose, or in a city by a vote of two-thirds of each branch of the city council of such city; such expenditures shall in no case exceed the appropriations made therefor, and all contracts made for expenditures beyond the amount of such appropriations shall be void; and all expenditures under this act shall be subject to the laws of this Commonwealth limiting municipal indebtedness.

Bonds may be issued for expenses incurred.

SECTION 7. For the purpose of defraying the expenses incurred under the provisions of this act, any town or the city council of any city may issue from time to time, and to an amount not exceeding the sum actually expended for the taking or purchase of lands for such public domain, bonds or certificates of debt, to be denominated on the face thereof the "Public Domain Loan," and to bear interest at such rates and to be payable at such times as such town or city council may determine; and for the redemption of such loan such town or city council shall establish a sinking fund, sufficient, with the accumulating interest, to provide for the payment of such loan at maturity. All amounts received on account of such public domain shall be paid into such sinking fund until such fund shall amount to a sum sufficient, with its accumulations, to pay at maturity the bonds for the security of which the fund was established.

Sinking fund.

SECTION 8. This act shall take effect upon its passage.

Approved May 25, 1882.

Chap. 256 AN ACT FOR THE PRESERVATION OF BOSTON HARBOR AND OF THE PUBLIC HEALTH IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Sewage not to be discharged near Colt Footure in Dorchester Bay.

SECTION 1. No part of the contents of the main sewer now or hereafter to be constructed running south-easterly from the direction of Charles River in the city of Boston

shall be discharged at or near the shore of the Calf Pasture, so called, in Dorchester Bay, or at any place in Boston Harbor or vicinity except at Moon Island. The supreme judicial court or any justice thereof upon the petition of not less than ten taxable inhabitants of the city of Boston may restrain by injunction or otherwise any violation of the provisions of this act.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1882.

AN ACT TO FIX THE COMPENSATION OF THE ASSISTANT CLERKS, DOORKEEPERS, ASSISTANT DOORKEEPERS, POSTMASTER, MESSENGERS AND PAGES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

Chap. 257

Be it enacted, etc., as follows:

SECTION 1. The assistant clerks of the senate and house of representatives shall receive an annual salary of twelve hundred dollars each from and after the first day of January in the year eighteen hundred and eighty-two.

Salaries of assistant clerks of senate and house.

SECTION 2. The compensation of the messengers of the senate and house of representatives shall be five dollars for each day's service, excluding Sundays; and the doorkeepers, assistant doorkeepers and postmaster shall receive the same compensation as the messengers, and one hundred dollars each in addition for the regular annual session of the legislature.

Compensation of messengers, etc.

SECTION 3. The compensation of the pages of the senate and house of representatives shall be three dollars for each day's service, excluding Sundays.

Compensation of pages.

SECTION 4. Section twenty-seven of chapter two of the Public Statutes, fixing the number of doorkeepers, assistant doorkeepers, messengers and pages of the senate and house of representatives is hereby amended by striking out the word "twenty-five," and inserting in the place thereof the word "thirty-two."

Doorkeepers, messengers, etc., not to exceed thirty-two in number.

SECTION 5. This act shall apply to the current annual session, and shall take effect upon its passage.

Approved May 26, 1882.

AN ACT RELATING TO THE FEES FOR LICENSES OF KEEPERS OF INTELLIGENCE OFFICES, DEALERS IN VARIOUS ARTICLES, AND KEEPERS OF BILLIARD, POOL, AND SIPPY ROOMS AND BOWLING-ALLEYS.

Chap. 258

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and twenty-four of chapter one hundred and two of the Public Statutes relat-

Fees for licenses in cities and towns.

ing to licenses granted to keepers of intelligence offices, dealers in junk, old metals, and second-hand articles, pawnbrokers, and keepers of billiard saloons, pool or sippio tables or rooms, and bowling-alleys, is amended by striking out the last sentence of said section, beginning with the words "The clerk," and substituting therefor the following words: "The board issuing such a license shall receive for the use of the city or town for each license such sum not less than two dollars, and in the city of Boston for a pawnbroker's license such sum not less than ten dollars, as the board shall deem reasonable."

Fees in the city of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1882.

Chap. 259 AN ACT RELATIVE TO OBSTRUCTING THE VIEW OF PREMISES LICENSED FOR THE SALE OF INTOXICATING LIQUORS, AND THE STATEMENTS OF SURETIES ON BONDS.

Be it enacted, etc., as follows:

License void, if view of premises is obstructed.

SECTION 1. Section twelve of chapter one hundred of the Public Statutes is amended by adding at the end thereof the following words: "or with a view of the interior of said premises; and the placing or maintaining of any of said obstructions shall of itself make the license void."

Statements of sureties on bonds.

SECTION 2. Section thirteen of said chapter is hereby amended by adding after the word "evidence," in the thirteenth line, the following words: "No bond given under the provisions of said chapter shall be accepted or approved until each surety has made and subscribed a sworn statement that he is worth not less than two thousand dollars over and above all liabilities and indebtedness, and the statement so made shall designate sufficient property, real or personal, to cover the requirement of the bond, and shall be kept on file with the bond in connection with which said statement is made."

SECTION 3. This act shall take effect upon its passage.

Approved May 26, 1882.

Chap. 260 AN ACT TO PREVENT THE COUNTING OF DETACHED "STICKERS," SO CALLED, AS BALLOTS.

Be it enacted, etc., as follows:

"Stickers," so called, not to be counted as ballots.

Whenever at any election in this Commonwealth the inspectors of election or other officers, appointed by law to receive, count and make return of votes, shall find among the ballots cast at such election any separate strip or piece of paper having a surface of less than six square inches,

and bearing upon one side the printed name or names of a candidate or candidates for office, and bearing upon the other side any adhesive substance, or other indication that such strip or piece of paper was designed to be superimposed upon a ballot as a "sticker," so called, such separate strip or piece of paper shall not be counted as a ballot; but all such strips or pieces of paper shall be placed in a separate sealed envelope and preserved in the manner by law provided for the preservation of ballots.

Approved May 26, 1882.

AN ACT TO CONFIRM THE PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF TYRINGHAM.

Chap. 261

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the annual town meeting of the town of Tyringham, held on the first Monday in April in the year eighteen hundred and eighty-two, shall not be invalid for the reason that the check list was not used at said meeting in the election of moderator and town officers, and said election of town officers is ratified and confirmed.

Proceedings at town meeting confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1882.

AN ACT TO PROVIDE ACCOMMODATIONS FOR THE VARIOUS DEPARTMENTS OF THE COMMONWEALTH.

Chap. 262

Be it enacted, etc., as follows:

SECTION 1. In order to provide accommodations for the various departments of the Commonwealth, the governor with the advice and consent of the council may purchase or take in fee simple, in behalf of the Commonwealth, the estate in the city of Boston bounded by Mount Vernon and Bowdoin Streets and Beacon Hill Place, known as the Way estate, or such other estate or estates as the governor and council may deem best.

Estate in Boston may be taken to provide accommodations for the departments of the Commonwealth.

SECTION 2. If any estate is taken under the provisions of this act, the damages sustained by any persons in their property by reason of such taking shall be estimated by the governor with the advice and consent of the council, and a certificate of the taking, giving a description of the property sufficiently accurate for identification, and of the share of damages sustained by each person, shall within thirty days from such taking be posted on the premises so taken, and shall also be recorded in the registry of deeds for the county of Suffolk. At any time within one year

Damages to be estimated by the governor and council.

Party aggrieved may apply for a jury.

from the time when the certificate is recorded as aforesaid any party aggrieved by the doings of the governor and council in the estimation of damages, may by petition to the superior court apply for a jury to determine the matter of his complaint, and the proceedings thereon shall be governed by the provisions of chapter forty-nine of the Public Statutes. The amount which shall be found due under such purchase or taking shall be paid from the treasury of the Commonwealth.

Estate may be leased.

SECTION 3. If the governor by the advice and consent of the council finds that the purchase or taking of any estate is inexpedient, he may by lease for a term not exceeding five years secure such accommodations for the various departments of the Commonwealth as may be deemed necessary and proper.

Approved May 26, 1882.

Chap. 263 AN ACT RELATING TO THE ADULTERATION OF FOOD AND DRUGS.
Be it enacted, etc., as follows:

Adulterated food and drugs not to be sold, etc.

SECTION 1. No person shall, within this Commonwealth, manufacture for sale, offer for sale or sell any drug or article of food which is adulterated within the meaning of this act.

Construction of the terms "drug" and "food."

SECTION 2. The term "drug" as used in this act shall include all medicines for internal or external use, antiseptics, disinfectants and cosmetics. The term "food" as used herein shall include all articles used for food or drink by man.

What shall be deemed to be an adulteration.

SECTION 3. An article shall be deemed to be adulterated within the meaning of this act, —

(a.) In the case of drugs, — (1.) If, when sold under or by a name recognized in the United States pharmacopœia, it differs from the standard of strength, quality or purity laid down therein; (2.) If, when sold under or by a name not recognized in the United States pharmacopœia but which is found in some other pharmacopœia, or other standard work on *materia medica*, it differs materially from the standard of strength, quality or purity laid down in such work; (3.) If its strength or purity falls below the professed standard under which it is sold:

(b.) In the case of food, — (1.) If any substance or substances have been mixed with it so as to reduce, or lower, or injuriously affect its quality or strength; (2.) If any inferior or cheaper substance or substances have been substituted wholly or in part for it; (3.) If any valuable constituent has been wholly or in part abstracted from it; (4.) If it is an imitation of, or is sold under the name of, an-

other article ; (5.) If it consists wholly or in part of a diseased, decomposed, putrid, or rotten animal or vegetable substance, whether manufactured or not ; or, in the case of milk, if it is the produce of a diseased animal ; (6.) If it is colored, coated, polished, or powdered, whereby damage is concealed, or if it is made to appear better or of greater value than it really is ; (7.) If it contains any added poisonous ingredient, or any ingredient which may render it injurious to the health of a person consuming it.

The state board of health, lunacy and charity may from time to time declare certain articles or preparations to be exempt from the provisions of this act ; and the provisions hereof shall not apply to mixtures or compounds recognized as ordinary articles of food, provided that the same are not injurious to health, and are distinctly labelled as mixtures or compounds.

State board of health, etc., may declare certain articles to be exempt.

SECTION 4. The state board of health, lunacy and charity shall prepare and publish from time to time lists of the articles, mixtures or compounds declared to be exempt from the provisions of this act, in accordance with the preceding section. The said board shall also from time to time fix the limits of variability permissible in any article of food, or any drug, or compound, the standard of which is not established by any national pharmacopœia.

To publish lists of articles, etc., exempted.

SECTION 5. The state board of health, lunacy and charity shall take cognizance of the interests of the public health relating to the sale of drugs and food and the adulteration of the same, and shall make all necessary investigations and inquiries in reference thereto, and for these purposes may appoint inspectors, analysts and chemists, who shall be subject to its supervision and removal.

May appoint analysts, etc., to make investigations.

Within thirty days after the passage of this act the said board shall adopt such measures as it may deem necessary to facilitate the enforcement hereof, and shall prepare rules and regulations with regard to the proper methods of collecting and examining drugs and articles of food. Said board may expend annually an amount not exceeding three thousand dollars for the purpose of carrying out the provisions of this act.

To prepare rules, etc., for examining drugs, etc.

SECTION 6. Every person offering or exposing for sale, or delivering to a purchaser, any drug or article of food included in the provisions of this act, shall furnish to any analyst or other officer or agent appointed hereunder, who shall apply to him for the purpose and shall tender him the value of the same, a sample sufficient for the purpose of the analysis of any such drug or article of food which is in his possession.

Samples to be furnished to analyst upon tender of value.

Penalties.

SECTION 7. Whoever hinders, obstructs, or in any way interferes with any inspector, analyst, or other officer appointed hereunder in the performance of his duty, and whoever violates any of the provisions of this act, shall be punished by a fine not exceeding fifty dollars for the first offence and not exceeding one hundred dollars for each subsequent offence.

When to take effect.

SECTION 8. This act shall take effect at the expiration of ninety days after its passage.

Approved May 26, 1882.

Chap. 264

AN ACT RELATING TO COSTS IN CIVIL ACTIONS.

Be it enacted, etc., as follows :

Term fees in civil actions.

SECTION 1. Parties recovering costs in civil actions in the supreme judicial court or in the superior court, shall be allowed but three term fees in any action unless allowed by order of the court; but if the action or any question therein is carried to the full bench of the supreme judicial court, two additional term fees may be allowed.

Court may designate the shire town in which action may be tried.

SECTION 2. When an action is brought in any county containing two or more shire towns, the court may at the term of entry designate the shire town in which the same shall be tried; and it shall not then be put on the trial list, nor shall costs be allowed for terms held in any other town than the one so designated, unless the action is actually tried in such other town by agreement between the parties to the suit.

To take effect July 1, 1882.

SECTION 3. This act shall take effect on the first day of July in the year eighteen hundred and eighty-two.

Approved May 26, 1882.

Chap. 265

AN ACT RELATIVE TO THE ESTABLISHMENT OF RAILROAD CORPORATIONS.

Be it enacted, etc., as follows :

Proceedings to be suspended unless commissioners certify that necessity, etc., requires the road to be built.

SECTION 1. When articles of association have been entered into under section thirty-four of chapter one hundred and twelve of the Public Statutes, with the intention of forming a railroad corporation, and proceedings have been had under sections thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight of said chapter, the directors named in such articles of association shall, within thirty days after the first publication thereof in accordance with section thirty-seven of said chapter, apply to the board of railroad commissioners for a certificate that public convenience and necessity require the construction of a railroad

as proposed in such articles of association. If a certificate is granted by said board, proceedings may be continued as now provided by law; if a certificate is refused, no further proceedings shall be had, but the application may be renewed after one year from the date of such refusal.

SECTION 2. The articles of association for the purpose of forming a railroad corporation, and all proceedings thereunder, including the fixing of the route, shall be null and void unless the certificate of incorporation is issued within one year from the time the route is fixed, as provided by law.

Proceedings void, unless incorporated within one year from time route is fixed.

SECTION 3. The provisions of this act shall not apply to any railroad corporation acting under the authority of a special act of the legislature, nor to any proceedings under chapter two hundred and fifty-two of the acts of the year eighteen hundred and eighty; but the provisions hereof shall apply to any railroad corporation acting under section one hundred and thirty-nine of chapter one hundred and twelve of the Public Statutes. Nothing hereinbefore contained shall invalidate any proceedings already had under sections thirty-four to forty, inclusive, of chapter one hundred and twelve of the Public Statutes, or shall prevent persons already associated and acting under such sections from exercising the same rights and powers as if this act had not been passed; but all articles of association heretofore entered into under the provisions of sections thirty-four to thirty-seven, inclusive, of said chapter one hundred and twelve, but under which no certificate of incorporation has yet been issued, in accordance with section forty-four of said chapter, shall be filed with the board of railroad commissioners within thirty days after the passage of this act.

Provisions to apply to corporations acting under P. S. 112, § 1:3.

SECTION 4. No railroad operated by steam power, and no part of such a railroad, shall hereafter be located or constructed within three miles from the state house without the consent in writing of the board of railroad commissioners and also of the mayor and aldermen of any city and of the selectmen of any town in which a location is sought being first obtained: *provided, however*, that nothing herein shall affect any existing provisions of law regarding the location and construction of branch railroads.

Steam railroads not to be located within three miles from state house without consent of commissioners, etc.

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

Approved May 26, 1882.

Chap. 266 AN ACT RELATING TO FIRE ESCAPES, AND TO THE CONSTRUCTION AND INSPECTION OF FACTORIES, PUBLIC BUILDINGS, AND TENEMENT AND LODGING HOUSES.

Be it enacted, etc., as follows :

Fire escapes to be provided for factories, etc.

SECTION 1. Section fifteen of chapter one hundred and four of the Public Statutes is amended so as to read as follows: "All factories and manufacturing establishments, three or more stories in height, in which forty or more persons are employed, unless supplied with a sufficient number of tower stairways, shall be provided with sufficient fire escapes properly constructed upon the outside thereof, and connected with the interior by doors or windows, with suitable landings at every story above the first, including the attic, if the same is occupied for workrooms. Such fire escapes shall be kept in good repair, and free from obstruction. Fire escapes existing on the first day of July in the year eighteen hundred and seventy-seven, need not be changed in consequence of the provisions of this section, unless such change is necessary for the protection of life. Cities may by ordinance provide that the provisions of this section relating to fire escapes shall apply to all buildings three or more stories in height within their limits."

Tenements and lodging houses.

SECTION 2. Section twenty of said chapter is amended by adding at the end thereof the following words: "Every building three or more stories in height, in whole or in part used, occupied, leased or rented, or designed to be used, occupied, leased or rented for a tenement to be occupied by more than four families, or a lodging house, shall be provided with a sufficient means of escape in case of fire, to be approved by the inspector of factories and public buildings."

Penalties.

SECTION 3. Section twenty-two of said chapter is amended so as to read as follows: "Any person or corporation being the owner, lessee or occupant of a manufacturing establishment, factory or workshop, or owning or controlling the use of any building or room mentioned in section twenty, shall, for the violation of any provision of sections thirteen to twenty-one inclusive, be punished by a fine of not less than fifty nor more than five hundred dollars, and shall also be liable for all damages suffered by any employé by reason of such violation; but no criminal prosecution shall be made for such violation until four weeks after notice in writing by an inspector of factories and public buildings of any changes necessary to be made

Prosecution not to be made until four weeks after notice of changes to be made.

to comply with the provisions of said sections has been sent by mail or delivered to such person or corporation, nor then, if in the mean time such changes have been made in accordance with such notification. Notice to one member of a firm, or to the clerk or treasurer of a corporation owning, leasing, occupying or controlling, as aforesaid, shall be deemed a sufficient notice under this section to all the members of such firm or to such corporation. Nothing in this section shall be so construed as to prohibit a person injured from bringing an action to recover damages for his injuries."

Action for damages not prohibited.

SECTION 4. Section twenty-three of said chapter is amended so as to read as follows: "The authority of said inspectors to enforce the provisions of sections thirteen to twenty-two inclusive shall not extend to the city of Boston, or to any other city which, under its charter or any other special statute, has officers specially appointed for the enforcement of the same or similar provisions."

Not to extend to cities where officers are specially appointed for enforcement, etc.

SECTION 5. Section twenty-four of said chapter is amended so as to read as follows: "A district police officer detailed to perform the duties required by sections thirteen to twenty-one inclusive who fails to perform such duties faithfully shall be immediately discharged from his office."

District police officer, failing to perform duties, to be discharged.

SECTION 6. Section ten of chapter one hundred and three of the Public Statutes is hereby amended by striking out of the second line the words "thirteen to fifteen inclusive, and nineteen to twenty-two inclusive," and inserting therefor the words "thirteen to twenty-two inclusive."

To enforce provisions of P. S. 104, §§ 13-22.

Approved May 26, 1882.

AN ACT IN RELATION TO THE ATTENDANCE OF WITNESSES BEFORE A BOARD OF POLICE COMMISSIONERS.

Chap. 267

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter one hundred and sixty-nine of the Public Statutes is amended by inserting in the fourth line after the word "selectmen," the words "or a board of police commissioners;" and by inserting in the tenth line of said section after the word "selectmen," the words "or board of police commissioners."

Witnesses may be summoned before police commissioners.

SECTION 2. Section eight of said chapter one hundred and sixty-nine is also amended by inserting after the word "selectmen," at the end of the third line the words "or chairman of the board of police commissioners."

Failing to attend, warrant may be issued.

SECTION 3. This act shall take effect upon its passage.

Approved May 26, 1882.

Chap. 268 AN ACT TO PROVIDE FOR THE CORRECTION OF OMISSIONS IN THE REGISTRATION OF VOTERS.

Be it enacted, etc., as follows:

Name on voting list the preceding year, if omitted by mistake the current year, may be placed on list by order of assessors.

If a qualified voter of any city or town whose name was on the voting list of such city or town for the preceding year, who has been assessed for a poll tax for the current year, and who has paid a state or county tax assessed upon him for the preceding or current year, finds after the close of registration that his name is not placed on the voting list of the current year by reason of the same being omitted by clerical error or mistake from the list of polls as assessed and transmitted by the board of assessors to the board charged with the preparation of the voting list, the board of assessors shall, upon the personal application of such voter, correct such omission or mistake, and give to him a certificate of such correction, to be presented by him in person to the board charged with the preparation of the voting list, who shall, on the receipt thereof, place the name of such voter on the voting list of the precinct, ward or town in which he was entitled to be registered; or if application is made on the day of election the said board last mentioned shall give to such voter a certificate, on presentation of which to the election officers of his precinct, ward or town he shall be allowed to vote therein; and such certificate shall be returned and preserved in like manner as the ballots cast in such precinct, ward or town.

Approved May 26, 1882.

Chap. 269 AN ACT TO PROVIDE FOR NOTICE OF THE PLACE OF STORAGE OF GUNPOWDER AND OTHER EXPLOSIVE COMPOUNDS.

Be it enacted, etc., as follows:

Notice to be given to chief engineer of fire department, of place of storage of explosive compounds.

SECTION 1. Any person who shall hereafter store or keep for sale gunpowder or any other explosive compound above the quantity of one pound in any building in any city or town of this Commonwealth shall, immediately on the receipt of such gunpowder or other explosive compound, deliver to the chief engineer of the fire department of such city or town, except in Boston, and in Boston to the board of fire commissioners, a statement in writing of the amount of such gunpowder or other explosive compound kept, or proposed to be kept, together with a description of the building and part of the building in which the same is kept, or proposed to be kept, sufficiently accurate for identification; and no person shall store or keep for sale gunpowder or any other explosive compound in

Special provision applicable to Boston.

any other place: *provided*, that in any town where there is no fire department such statement shall be delivered to one of the fire wards in such town.

SECTION 2. Any person violating any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars. Penalty.

SECTION 3. This act shall take effect upon its passage.

Approved May 26, 1882.

AN ACT FOR THE BETTER PROTECTION OF CHILDREN.

Chap. 270

Be it enacted, etc., as follows:

SECTION 1. Whoever, being the parent of a child less than two years old, abandons it within or without any building in this Commonwealth, or, having made a contract or provision for the board or maintenance of such child, absconds or fails to perform any such contract or provision, and for a period of four weeks after such absconding or failure neither visits nor removes such child, nor during said period notifies the overseers of the poor of the city or town where such parent resides of his or her inability to support such child, shall be punished by imprisonment, if a man, in the house of correction, and if a woman in the reformatory prison for women not exceeding two years, or, in case death shall result from such abandonment, not exceeding five years; but this act shall not apply to cases in which the omission to visit, remove or support such child, or to give such notice, arises from physical or mental disability. Penalty on parent for abandonment of child less than two years old.

SECTION 2. Every person who knowingly and with wrongful intent aids or abets the abandonment of any such child, as set forth in the preceding section, shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding two years in the house of correction. Penalty for aiding or abetting.

SECTION 3. Every person who receives for board a child under the age of one year, knowing or having reason to believe it to be illegitimate, shall forthwith notify the overseers of the poor of the city or town in which he resides of the fact of such reception, and, if requested by such overseers, shall also so notify the state board of health, lunacy and charity. The parent or parents of such child shall, when called upon by said board, or such overseers, give to said board or such overseers satisfactory security for the maintenance of such child. The parents of such children shall, when called upon, give true answers Person receiving for board an illegitimate child under age of one year to notify overseers of the poor.

to the said state board, or any of its officers, as to the residence, parentage and place of settlement of such children, so far as their knowledge extends. Whoever violates any of the provisions of this section shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the house of correction not exceeding one year.

Penalty for not supporting minor child.

SECTION 4. Whoever unreasonably neglects to provide for the support of his minor child shall be punished by fine not exceeding twenty dollars, or by imprisonment in the house of correction not exceeding six months.

Approved May 26, 1882.

Chap. 271 AN ACT TO APPORTION AND ASSESS A STATE TAX OF TWO MILLION DOLLARS.

Be it enacted, etc., as follows:

State tax of \$2,000,000.

SECTION 1. Each city and town in this Commonwealth shall be assessed and pay the several sums with which they stand respectively charged in the following schedule, that is to say:—

Barnstable County.

BARNSTABLE COUNTY.

Barnstable . . .	Three thousand one hundred and twenty dollars . . .	\$3,120 00
Brewster . . .	Eight hundred and twenty dollars . . .	820 00
Chatham . . .	One thousand dollars . . .	1,000 00
Dennis . . .	Eighteen hundred and forty dollars,	1,840 00
Eastham . . .	Two hundred and sixty dollars . . .	260 00
Falmouth . . .	Twenty-seven hundred and forty dol- lars . . .	2,740 00
Harwich . . .	Thirteen hundred dollars . . .	1,300 00
Mashpee . . .	One hundred and twenty dollars . . .	120 00
Orleans . . .	Six hundred dollars . . .	600 00
Provincetown . . .	Twenty-two hundred dollars . . .	2,200 00
Sandwich . . .	Sixteen hundred and twenty dollars,	1,620 00
Truro . . .	Three hundred and sixty dollars . . .	360 00
Wellfleet . . .	Ten hundred and eighty dollars . . .	1,080 00
Yarmouth . . .	Sixteen hundred and eighty dollars,	1,680 00
		\$18,740 00

BERKSHIRE COUNTY.

Berkshire
County.

Adams . . .	Twenty-five hundred and twenty dol- lars	\$2,520 00
Alford . . .	Three hundred and twenty dollars . . .	320 00
Becket . . .	Five hundred and sixty dollars . . .	560 00
Cheshire . . .	Twelve hundred and twenty dollars,	1,220 00
Clarksburg . . .	Three hundred dollars	300 00
Dalton . . .	Fourteen hundred and sixty dollars,	1,460 00
Egremont . . .	Six hundred and eighty dollars . . .	680 00
Florida . . .	Two hundred and forty dollars . . .	240 00
Great Barrington,	Thirty-eight hundred and twenty dollars	3,820 00
Hancock . . .	Five hundred dollars	500 00
Hinsdale . . .	Nine hundred and sixty dollars . . .	960 00
Lanesborough . . .	Eight hundred and eighty dollars . . .	880 00
Lee	Twenty-two hundred and forty dol- lars	2,240 00
Lenox	Sixteen hundred dollars	1,600 00
Monterey . . .	Three hundred and twenty dollars . . .	320 00
Mt. Washington,	One hundred dollars	100 00
New Ashford . . .	One hundred dollars	100 00
New Marlborough	Nine hundred and sixty dollars . . .	960 00
North Adams . . .	Forty-eight hundred and sixty dol- lars	4,860 00
Otis	Three hundred and twenty dollars . . .	320 00
Peru	One hundred and eighty dollars . . .	180 00
Pittsfield . . .	Ten thousand one hundred and twen- ty dollars	10,120 00
Richmond . . .	Six hundred and sixty dollars	660 00
Sandisfield . . .	Five hundred dollars	500 00
Savoy	Two hundred and sixty dollars . . .	260 00
Sheffield . . .	Thirteen hundred and forty dollars . . .	1,340 00
Stockbridge . . .	Thirty-one hundred and forty dol- lars	3,140 00

Berkshire
County.

BERKSHIRE COUNTY—CONCLUDED.

Tyringham . . .	Three hundred dollars	\$300 00
Washington . . .	Two hundred and eighty dollars . .	280 00
W. Stockbridge . .	One thousand dollars	1,000 00
Williamstown . . .	Two thousand and eighty dollars . .	2,080 00
Windsor	Two hundred and sixty dollars . .	260 00
		<u>\$44,080 00</u>

Bristol County.

BRISTOL COUNTY.

Acushnet	Six hundred and eighty dollars . .	\$680 00
Attleborough . . .	Fifty-one hundred and eighty dol- lars	5,180 00
Berkley	Three hundred and sixty dollars . .	360 00
Dartmouth	Twenty-one hundred dollars	2,100 00
Dighton	Nine hundred and forty dollars . .	940 00
Easton	Thirty-three hundred and twenty dollars	3,320 00
Fairhaven	Seventeen hundred and eighty dol- lars	1,780 00
Fall River	Fifty-three thousand four hundred and twenty dollars	53,420 00
Freetown	Eight hundred and forty dollars . .	840 00
Mansfield	Thirteen hundred and forty dollars .	1,340 00
New Bedford . . .	Twenty-nine thousand one hundred and sixty dollars	29,160 00
Norton	Nine hundred and eighty dollars . .	980 00
Raynham	Fourteen hundred dollars	1,400 00
Rehoboth	Nine hundred and twenty dollars . .	920 00
Seekonk	Seven hundred dollars	700 00
Somerset	Twelve hundred dollars	1,200 00
Swanzy	Seven hundred and eighty dollars . .	780 00
Taunton	Nineteen thousand one hundred and forty dollars	19,140 00
Westport	Sixteen hundred and forty dollars . .	1,640 00
		<u>\$125,880 00</u>

DUKES COUNTY.

Dukes County.

Chilmark . . .	Three hundred and forty dollars . . .	\$340 00
Edgartown . . .	Nineteen hundred and forty dollars,	1,940 00
Gay Head . . .	Twenty dollars	20 00
Gosnold	Two hundred dollars	200 00
Tisbury	Eight hundred dollars	800 00
		\$3,300 00

ESSEX COUNTY.

Essex County.

Amesbury . . .	Two thousand and forty dollars . . .	\$2,040 00
Andover	Forty-three hundred dollars	4,300 00
Beverly	Nine thousand five hundred and twenty dollars	9,520 00
Boxford	Six hundred and eighty dollars . . .	680 00
Bradford	Fifteen hundred and sixty dollars . .	1,560 00
Danvers	Forty-two hundred and eighty dol- lars	4,280 00
Essex	Eleven hundred dollars	1,100 00
Georgetown . . .	Twelve hundred dollars	1,200 00
Gloucester . . .	Ten thousand dollars	10,000 00
Groveland	One thousand dollars	1,000 00
Hamilton	Six hundred dollars	600 00
Haverhill	Twelve thousand dollars	12,000 00
Ipswich	Twenty-four hundred and twenty dollars	2,420 00
Lawrence	Twenty-five thousand two hundred and sixty dollars	25,260 00
Lynn	Twenty-nine thousand eight hundred and forty dollars	29,840 00
Lynnfield	Nine hundred dollars	900 00
Manchester . . .	Nineteen hundred and sixty dollars,	1,960 00
Marblehead . . .	Forty-seven hundred and forty dol- lars	4,740 00
Merrimac	Eleven hundred and twenty dollars .	1,120 00

Essex County.

ESSEX COUNTY—CONCLUDED.

Methuen . .	Twenty-six hundred and eighty dollars	\$2,680 00
Middleton . .	Five hundred and forty dollars	540 00
Nahant . .	Eighty-two hundred and eighty dollars	8,280 00
Newbury . .	Eleven hundred and forty dollars	1,140 00
Newburyport . .	Eighty-seven hundred and forty dollars	8,740 00
North Andover . .	Twenty-four hundred and eighty dollars	2,480 00
Peabody . .	Seventy-three hundred dollars	7,300 00
Rockport . .	Twenty-four hundred and forty dollars	2,440 00
Rowley . .	Six hundred and forty dollars	640 00
Salem . .	Twenty-nine thousand three hundred and eighty dollars	29,380 00
Salisbury . .	Twenty-four hundred and sixty dollars	2,460 00
Saugus . .	Two thousand and forty dollars	2,040 00
Swampscott . .	Twenty-eight hundred and sixty dollars	2,860 00
Topsfield . .	Eight hundred and sixty dollars	860 00
Wenham . .	Six hundred and sixty dollars	660 00
West Newbury . .	Twelve hundred and forty dollars	1,240 00
		\$188,260 00

Franklin County.

FRANKLIN COUNTY.

Ashfield . .	Six hundred and twenty dollars	\$620 00
Bernardston . .	Four hundred and eighty dollars	480 00
Buckland . .	Seven hundred dollars	700 00
Charlemont . .	Four hundred and twenty dollars	420 00
Colrain . .	Seven hundred and eighty dollars	780 00
Conway . .	Nine hundred and twenty dollars	920 00
Deerfield . .	Nineteen hundred dollars	1,900 00
Erving . .	Four hundred dollars	400 00

FRANKLIN COUNTY—CONCLUDED.

Franklin
County.

Gill . . .	Five hundred and forty dollars . . .	\$540 00
Greenfield . . .	Thirty-five hundred and forty dol- lars	3,540 00
Hawley . . .	Two hundred dollars	200 00
Heath . . .	Two hundred and twenty dollars . . .	220 00
Leverett . . .	Three hundred and eighty dollars . . .	380 00
Leyden . . .	Two hundred and sixty dollars . . .	260 00
Monroe . . .	Sixty dollars	60 00
Montague . . .	Twenty-three hundred dollars . . .	2,300 00
New Salem . . .	Three hundred and eighty dollars . . .	380 00
Northfield . . .	Eight hundred and sixty dollars . . .	860 00
Orange . . .	Seventeen hundred and eighty dol- lars	1,780 00
Rowe . . .	Two hundred dollars	200 00
Shelburne . . .	One thousand and sixty dollars . . .	1,060 00
Shutesbury . . .	Two hundred dollars	200 00
Sunderland . . .	Five hundred and forty dollars . . .	540 00
Warwick . . .	Three hundred and forty dollars . . .	340 00
Wendell . . .	Two hundred dollars	200 00
Whately . . .	Eight hundred and eighty dollars . . .	880 00
		\$20,160 00

HAMPDEN COUNTY.

Hampden
County.

Agawam . . .	Fourteen hundred and twenty dol- lars	\$1,420 00
Blandford . . .	Four hundred and sixty dollars . . .	460 00
Brimfield . . .	Six hundred and sixty dollars . . .	660 00
Chester . . .	Six hundred and twenty dollars . . .	620 00
Chicopee . . .	Six thousand four hundred and sixty dollars	6,460 00
Granville . . .	Four hundred and eighty dollars . . .	480 00

Hampden
County.

HAMPDEN COUNTY — CONCLUDED.

Holland . . .	One hundred and forty dollars . . .	\$140 00
Holyoke . . .	Eleven thousand five hundred and twenty dollars	11,520 00
Longmeadow . . .	Fifteen hundred and twenty dollars,	1,520 00
Ludlow . . .	Six hundred and twenty dollars . . .	620 00
Monson . . .	Sixteen hundred and twenty dollars,	1,620 00
Montgomery . . .	One hundred and sixty dollars . . .	160 00
Palmer . . .	Two thousand and eighty dollars . . .	2,080 00
Russell . . .	Four hundred and sixty dollars . . .	460 00
Southwick . . .	Seven hundred dollars	700 00
Springfield . . .	Forty-four thousand and sixty dol- lars	44,060 00
Tolland . . .	Two hundred and sixty dollars . . .	260 00
Wales . . .	Five hundred dollars	500 00
Westfield . . .	Seven thousand nine hundred and forty dollars	7,940 00
West Springfield,	Three thousand three hundred and twenty dollars	3,320 00
Wilbraham . . .	Eleven hundred dollars	1,100 00
		\$86,100 00

Hampshire
County.

HAMPSHIRE COUNTY.

Amherst . . .	Twenty-eight hundred and twenty dollars	\$2,820 00
Belchertown . . .	Twelve hundred dollars	1,200 00
Chesterfield . . .	Three hundred and sixty dollars . . .	360 00
Cummington . . .	Four hundred and eighty dollars . . .	480 00
Easthampton . . .	Twenty-eight hundred and twenty dollars	2,820 00
Enfield . . .	Eight hundred and forty dollars . . .	840 00
Goshen . . .	One hundred and forty dollars . . .	140 00
Granby . . .	Five hundred and eighty dollars . . .	580 00
Greenwich . . .	Three hundred and forty dollars . . .	340 00

HAMPSHIRE COUNTY — CONCLUDED.

Hampshire
County.

Hadley . . .	Sixteen hundred and twenty dollars,	\$1,620 00
Hatfield . . .	Fourteen hundred and twenty dol- lars	1,420 00
Huntington . . .	Five hundred and eighty dollars . . .	580 00
Middlefield . . .	Four hundred and twenty dollars . . .	420 00
Northampton . . .	Eighty-four hundred and sixty dol- lars	8,460 00
Pelham	Two hundred dollars	200 00
Plainfield	Two hundred and sixty dollars	260 00
Prescott	Two hundred and twenty dollars	220 00
South Hadley	Twenty-one hundred dollars	2,100 00
Southampton	Five hundred and sixty dollars	560 00
Ware	Twenty-one hundred and forty dol- lars	2,140 00
Westhampton	Three hundred and twenty dollars	320 00
Williamsburg	Fifteen hundred and twenty dollars,	1,520 00
Worthington	Four hundred dollars	400 00
		<hr/> \$29,800 00

MIDDLESEX COUNTY.

Middlesex
County.

Acton	Fourteen hundred and forty dollars,	\$1,440 00
Arlington	Sixty-six hundred and eighty dol- lars	6,680 00
Ashby	Six hundred dollars	600 00
Ashland	Sixteen hundred and twenty dollars,	1,620 00
Ayer	Twelve hundred and twenty dollars,	1,220 00
Bedford	Eight hundred and twenty dollars	820 00
Belmont	Forty-four hundred and eighty dol- lars	4,480 00
Billerica	Nineteen hundred dollars	1,900 00
Boxborough	Three hundred dollars	300 00
Burlington	Five hundred and eighty dollars	580 00

Middlesex
County.

MIDDLESEX COUNTY — CONTINUED.

Cambridge	Sixty-nine thousand five hundred and forty dollars	\$69,540 00
Carlisle	Four hundred and twenty dollars	420 00
Chelmsford	Sixteen hundred and sixty dollars	1,660 00
Concord	Thirty-three hundred and sixty dollars	3,360 00
Dracut	Eleven hundred and twenty dollars,	1,120 00
Dunstable	Three hundred and eighty dollars	380 00
Everett	Forty-six hundred and forty dollars,	4,640 00
Framingham	Fifty-two hundred and twenty dollars	5,220 00
Groton	Twenty-four hundred and forty dollars	2,440 00
Holliston	Two thousand and eighty dollars	2,080 00
Hopkinton	Twenty-five hundred and sixty dollars	2,560 00
Hudson	Nineteen hundred dollars	1,900 00
Lexington	Thirty-two hundred and sixty dollars	3,260 00
Lincoln	Nine hundred and forty dollars	940 00
Littleton	Eight hundred and forty dollars	840 00
Lowell	Forty-two thousand two hundred dollars	42,200 00
Malden	Ten thousand four hundred dollars,	10,400 00
Marlborough	Thirty-seven hundred and sixty dollars	3,760 00
Maynard	Fourteen hundred and sixty dollars,	1,460 00
Medford	Ten thousand two hundred and sixty dollars	10,260 00
Melrose	Forty-seven hundred and sixty dollars	4,760 00
Natick	Forty-one hundred and forty dollars	4,140 00
Newton	Thirty-two thousand one hundred and sixty dollars	32,160 00
North Reading	Five hundred dollars	500 00
Pepperell	Sixteen hundred dollars	1,600 00
Reading	Twenty-six hundred dollars	2,600 00
Sherborn	One thousand dollars	1,000 00

MIDDLESEX COUNTY — CONCLUDED.

Middlesex
County.

Shirley . . .	Ten hundred and sixty dollars . . .	\$1,060 00
Somerville . . .	Thirty thousand eight hundred and eighty dollars . . .	30,880 00
Stoneham . . .	Thirty-four hundred and forty dollars . . .	3,440 00
Stow . . .	Seven hundred and eighty dollars . . .	780 00
Sudbury . . .	Eleven hundred and twenty dollars, . . .	1,120 00
Tewksbury . . .	One thousand dollars . . .	1,000 00
Townsend . . .	Nine hundred and twenty dollars . . .	920 00
Tyngsborough . . .	Three hundred and forty dollars . . .	340 00
Wakefield . . .	Five thousand and eighty dollars . . .	5,080 00
Waltham . . .	Ten thousand nine hundred and forty dollars . . .	10,940 00
Watertown . . .	Eighty-five hundred and sixty dollars . . .	8,560 00
Wayland . . .	Twelve hundred and forty dollars . . .	1,240 00
Westford . . .	Twelve hundred and forty dollars . . .	1,240 00
Weston . . .	Eighteen hundred and forty dollars, . . .	1,840 00
Wilmington . . .	Six hundred dollars . . .	600 00
Winchester . . .	Five thousand and twenty dollars . . .	5,020 00
Woburn . . .	Ninety-five hundred dollars . . .	9,500 00
		\$318,400 00

NANTUCKET COUNTY.

Nantucket
County.

Nantucket . . .	Twenty-six hundred and sixty dollars . . .	\$2,660 00
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NORFOLK COUNTY.

Norfolk
County.

Bellingham . . .	Six hundred dollars . . .	\$600 00
Braintree . . .	Three thousand dollars . . .	3,000 00
Brookline . . .	Thirty-one thousand six hundred and twenty dollars . . .	31,620 00

Norfolk
County.

NORFOLK COUNTY—CONCLUDED.

Canton . . .	Thirty-four hundred and eighty dollars	\$3,480 00
Cohasset . . .	Twenty-five hundred and sixty dollars	2,560 00
Dedham . . .	Sixty-six hundred and sixty dollars,	6,660 00
Dover . . .	Four hundred and eighty dollars	480 00
Foxborough . .	Nineteen hundred and forty dollars,	1,940 00
Franklin . . .	Sixteen hundred and sixty dollars	1,660 00
Holbrook . . .	Seventeen hundred and twenty dollars	1,720 00
Hyde Park . . .	Sixty-nine hundred and eighty dollars	6,980 00
Medfield . . .	Eleven hundred and twenty dollars	1,120 00
Medway . . .	Two thousand and forty dollars	2,040 00
Milton . . .	Eighty-five hundred and sixty dollars	8,560 00
Needham . . .	Forty-eight hundred and eighty dollars	4,880 00
Norfolk . . .	Six hundred and twenty dollars	620 00
Norwood . . .	Eighteen hundred and eighty dollars	1,880 00
Quincy . . .	Seventy-eight hundred dollars	7,800 00
Randolph . . .	Twenty-seven hundred and forty dollars	2,740 00
Sharon . . .	Ten hundred and sixty dollars	1,060 00
Stoughton . . .	Twenty-seven hundred and eighty dollars	2,780 00
Walpole . . .	Sixteen hundred and sixty dollars	1,660 00
Weymouth . . .	Sixty-seven hundred and sixty dollars	6,760 00
Wrentham . . .	Thirteen hundred dollars	1,300 00
		\$103,900 00

Plymouth
County.

PLYMOUTH COUNTY

Abington . . .	Eighteen hundred and eighty dollars	\$1,880 00
Bridgewater . .	Twenty-eight hundred and sixty dollars	2,860 00
Brockton . . .	Sixty-two hundred and sixty dollars,	6,260 00

PLYMOUTH COUNTY — CONCLUDED.

Plymouth
County.

Carver . . .	Six hundred and sixty dollars . . .	\$660 00
Duxbury . . .	Fifteen hundred dollars . . .	1,500 00
E. Bridgewater . . .	Fifteen hundred and forty dollars . . .	1,540 00
Halifax . . .	Three hundred and forty dollars . . .	340 00
Hanover . . .	Eleven hundred dollars . . .	1,100 00
Hanson . . .	Six hundred and sixty dollars . . .	660 00
Hingham . . .	Thirty-nine hundred dollars . . .	3,900 00
Hull . . .	Six hundred and forty dollars . . .	640 00
Kingston . . .	Eighteen hundred and sixty dollars,	1,860 00
Lakeville . . .	Six hundred and forty dollars . . .	640 00
Marion . . .	Five hundred and forty dollars . . .	540 00
Marshfield . . .	Eleven hundred dollars . . .	1,100 00
Mattapoisett . . .	Thirteen hundred and sixty dollars,	1,360 00
Middleborough . . .	Twenty-eight hundred and eighty dollars . . .	2,880 00
Pembroke . . .	Eight hundred dollars . . .	800 00
Plymouth . . .	Forty-nine hundred and sixty dol- lars . . .	4,960 00
Plympton . . .	Three hundred and sixty dollars . . .	360 00
Rochester . . .	Five hundred and sixty dollars . . .	560 00
Rockland . . .	Twenty-three hundred dollars . . .	2,300 00
Scituate . . .	Sixteen hundred and twenty dollars,	1,620 00
South Abington . . .	Fifteen hundred and sixty dollars . . .	1,560 00
South Scituate . . .	Twelve hundred and forty dollars . . .	1,240 00
Wareham . . .	Thirteen hundred dollars . . .	1,300 00
W. Bridgewater . . .	Ten hundred and forty dollars . . .	1,040 00
		\$45,460 00

Suffolk County.

SUFFOLK COUNTY.

Boston . . .	Eight hundred and twenty-five thousand four hundred and eighty dollars . . .	\$825,480 00
Chelsea . . .	Nineteen thousand six hundred and forty dollars . . .	19,640 00
Revere . . .	Two thousand and eighty dollars . . .	2,080 00
Winthrop . . .	Eleven hundred and twenty dollars . . .	1,120 00
		<hr/>
		\$848,320 00

Worcester County.

WORCESTER COUNTY.

Ashburnham . . .	Twelve hundred and sixty dollars . . .	\$1,260 00
Athol . . .	Thirty-one hundred and forty dollars . . .	3,140 00
Auburn . . .	Six hundred and sixty dollars . . .	660 00
Barre . . .	Twenty-one hundred and twenty dollars . . .	2,120 00
Berlin . . .	Five hundred and sixty dollars . . .	560 00
Blackstone . . .	Twenty-three hundred and eighty dollars . . .	2,380 00
Bolton . . .	Six hundred and twenty dollars . . .	620 00
Boylston . . .	Six hundred and forty dollars . . .	640 00
Brookfield . . .	Fifteen hundred and eighty dollars . . .	1,580 00
Charlton . . .	Eleven hundred and twenty dollars, . . .	1,120 00
Clinton . . .	Forty-nine hundred and forty dollars . . .	4,940 00
Dana . . .	Three hundred and forty dollars . . .	340 00
Douglas . . .	Ten hundred and sixty dollars . . .	1,060 00
Dudley . . .	Eleven hundred and eighty dollars . . .	1,180 00
Fitchburg . . .	Fourteen thousand one hundred and eighty dollars . . .	14,180 00
Gardner . . .	Twenty-three hundred and sixty dollars . . .	2,360 00
Grafton . . .	Twenty-one hundred and eighty dollars . . .	2,180 00
Hardwick . . .	Twelve hundred and twenty dollars, . . .	1,220 00
Harvard . . .	Twelve hundred and twenty dollars, . . .	1,220 00

WORCESTER COUNTY — CONTINUED.

Worcester
County.

Holden . . .	Eleven hundred dollars . . .	\$1,100 00
Hubbardston . . .	Nine hundred and eighty dollars . . .	980 00
Lancaster . . .	Twenty-five hundred and forty dol- lars . . .	2,540 00
Leicester . . .	Twenty-three hundred and eighty dollars . . .	2,380 00
Leominster . . .	Forty-three hundred dollars . . .	4,300 00
Lunenburg . . .	Eight hundred and sixty dollars . . .	860 00
Mendon . . .	Seven hundred and forty dollars . . .	740 00
Milford . . .	Fifty-seven hundred and twenty dol- lars . . .	5,720 00
Millbury . . .	Twenty-nine hundred and forty dol- lars . . .	2,940 00
New Braintree . . .	Five hundred and forty dollars . . .	540 00
Northborough . . .	Fourteen hundred and twenty dol- lars . . .	1,420 00
Northbridge . . .	Twenty-five hundred dollars . . .	2,500 00
North Brookfield . . .	Two thousand and eighty dollars . . .	2,080 00
Oakham . . .	Four hundred dollars . . .	400 00
Oxford . . .	Seventeen hundred and twenty dol- lars . . .	1,720 00
Paxton . . .	Three hundred and sixty dollars . . .	360 00
Petersham . . .	Seven hundred and eighty dollars . . .	780 00
Phillipston . . .	Three hundred and sixty dollars . . .	360 00
Princeton . . .	Ten hundred and twenty dollars . . .	1,020 00
Royalston . . .	Eight hundred and forty dollars . . .	840 00
Rutland . . .	Five hundred and twenty dollars . . .	520 00
Shrewsbury . . .	Twelve hundred and sixty dollars . . .	1,260 00
Southborough . . .	Fifteen hundred and forty dollars . . .	1,540 00
Southbridge . . .	Thirty-five hundred dollars . . .	3,500 00
Spencer . . .	Three thousand and eighty dollars, . . .	3,080 00
Sterling . . .	Twelve hundred and eighty dollars . . .	1,280 00
Sturbridge . . .	Twelve hundred and eighty dollars . . .	1,280 00

Worcester
County.

WORCESTER COUNTY — CONCLUDED.

Sutton . . .	Sixteen hundred and forty dollars .	\$1,640 00
Templeton . .	Fourteen hundred and eighty dollars,	1,480 00
Upton . . .	Nine hundred and eighty dollars .	980 00
Uxbridge . . .	Two thousand and forty dollars .	2,040 00
Warren . . .	Seventeen hundred and forty dollars,	1,740 00
Webster . . .	Twenty-eight hundred dollars . .	2,800 00
Westborough .	Twenty-seven hundred dollars .	2,700 00
West Boylston .	Thirteen hundred and twenty dol- lars	1,320 00
West Brookfield.	Nine hundred and sixty dollars .	960 00
Westminster .	Nine hundred and eighty dollars .	980 00
Winchendon .	Twenty-four hundred and eighty dollars	2,480 00
Worcester . .	Fifty-seven thousand and twenty dollars	57,020 00
		<hr/> \$164,940 00

Recapitulation
by counties.

RECAPITULATION.

Barnstable Co. .	Eighteen thousand seven hundred and forty dollars	\$18,740 00
Berkshire Co. .	Forty-four thousand and eighty dol- lars	44,080 00
Bristol Co. . .	One hundred and twenty-five thou- sand eight hundred and eighty dollars	125,880 00
Dukes Co. . . .	Thirty-three hundred dollars . . .	3,300 00
Essex Co. . . .	One hundred and eighty-eight thou- sand two hundred and sixty dol- lars	188,260 00
Franklin Co. . .	Twenty thousand one hundred and sixty dollars	20,160 00
Hampden Co. . .	Eighty-six thousand one hundred dollars	86,100 00
Hampshire Co. .	Twenty-nine thousand eight hundred dollars	29,800 00
Middlesex Co. .	Three hundred and eighteen thou- sand four hundred dollars	318,400 00
Nantucket Co. .	Two thousand six hundred and sixty dollars	2,660 00

RECAPITULATION — CONCLUDED.

		Recapitulation by counties.
Norfolk Co.	One hundred and three thousand nine hundred dollars	\$103,900 00
Plymouth Co.	Forty-five thousand four hundred and sixty dollars	45,460 00
Suffolk Co.	Eight hundred and forty-eight thou- sand three hundred and twenty dollars	848,320 00
Worcester Co.	One hundred and sixty-four thou- sand nine hundred and forty dol- lars	164,940 00
		\$2,000,000 00

SECTION 2. The treasurer of the Commonwealth shall forthwith send his warrant, directed to the selectmen or assessors of each city or town taxed as aforesaid, requiring them respectively to assess the sum so charged, according to the provisions of chapter eleven of the Public Statutes, and to add the amount of such tax to the amount of town and county taxes to be assessed by them respectively on each city and town.

Treasurer of the Commonwealth to issue warrants.

SECTION 3. The treasurer of the Commonwealth in his warrant shall require the said selectmen or assessors to pay, or to issue severally their warrant or warrants requiring the treasurers of their several cities or towns to pay, to the treasurer of the Commonwealth, on or before the tenth day of December in the year eighteen hundred and eighty-two, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors respectively shall return a certificate of the names of the treasurers of their several cities and towns with the sum which each may be required to collect, to the treasurer of the Commonwealth at some time before the first day of October in the year eighteen hundred and eighty-two.

To require selectmen or assessors to issue warrants to city or town treasurers.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the treasurer of the Commonwealth within the time specified, then the said treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the Commonwealth, in addition to the tax, such further sum as would be equal to one per centum per month: during such delinquency, from and after the tenth day of December in the year eighteen hundred and eighty-two; and if the same remains unpaid after the first day of January in the year eighteen hundred and eighty-three, an information

To notify the treasurers of delinquent cities and towns.

may be filed by the treasurer of the Commonwealth in the supreme judicial court or before any justice thereof against such delinquent city or town; and upon notice to such city or town and a summary hearing thereon a warrant of distress may issue against such city or town, to enforce the payment of said taxes, under such penalties as said court or the justice thereof, before whom the hearing is had, shall order.

SECTION 5. This act shall take effect upon its passage.
Approved May 26, 1882.

Chap. 272 AN ACT CONCERNING THE SALE OR USE OF TOY PISTOLS AND OTHER DANGEROUS ARTICLES.

Be it enacted, etc., as follows:

Cities and towns may regulate sale, etc., of toy pistols.

SECTION 1. The city council of any city, and the selectmen of any town, may adopt such rules and regulations as they may deem reasonable in relation to the sale or use, within the limits thereof, of toy pistols, toy cannon, and all other articles in which explosive compounds of any kind are used, or of which such compounds form a part, and may affix penalties for violation of such rules and regulations not exceeding fifty dollars for any one offence; but no such rule or regulation shall take effect until it has been approved by the superior court, or in vacation by a justice thereof, and with such approval entered and recorded, as provided in section twenty-one of chapter twenty-seven of the Public Statutes.

SECTION 2. This act shall take effect upon its passage.
Approved May 26, 1882.

Chap. 273 AN ACT IN FURTHER ADDITION TO "AN ACT MAKING APPROPRIATIONS FOR EXPENSES AUTHORIZED THE PRESENT YEAR, AND FOR OTHER PURPOSES."

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated to be paid out of the treasury of the Commonwealth from the ordinary revenue, unless otherwise ordered, for the purposes specified in certain acts and resolves of the present year, and for other purposes, to wit: —

Jennie S. Capron.

For Jennie S. Capron, three hundred dollars, as authorized by chapter thirty-eight of the resolves of the present year.

Samuel Hillman.

For Samuel Hillman, one hundred and twenty-five dollars, as authorized by chapter thirty-nine of the resolves of the present year.

- For James Burke, one hundred dollars, as authorized by chapter forty of the resolves of the present year. James Burke.
- For the disabled soldiers' employment bureau, two thousand dollars, as authorized by chapter forty-two of the resolves of the present year. Soldiers' employment bureau.
- For the trustees of the state lunatic hospital at Danvers, twenty-five thousand dollars, as authorized by chapter forty-three of the resolves of the present year. Lunatic hospital at Danvers.
- For additional clerical assistance at the state prison at Concord, twelve hundred dollars, as authorized by chapter forty-four of the resolves of the present year. State prison.
- For the trustees of the state lunatic hospital at Taunton, twelve thousand five hundred dollars, as authorized by chapter forty-five of the resolves of the present year. Lunatic hospital at Taunton.
- For the trustees of the state lunatic hospital at Worcester, ten thousand dollars, as authorized by chapter forty-six of the resolves of the present year. Lunatic hospital at Worcester.
- For Thomas F. Maney, three hundred dollars, as authorized by chapter forty-eight of the resolves of the present year. Thomas F. Maney.
- For the trustees of the Massachusetts agricultural college, nine thousand dollars, as authorized by chapter forty-nine of the resolves of the present year. Agricultural college.
- For the compensation of a commissioner to the national forestry convention, fifty dollars, as authorized by a joint resolution adopted April eighteenth of the present year by the senate and house of representatives. Commissioner to forestry convention.
- For the Massachusetts school for idiotic and feeble-minded youth, four thousand five hundred dollars, as authorized by chapter fifty-one of the resolves of the present year. School for idiotic and feeble-minded youth.
- For the compensation and expenses of an additional agent of the board of education, twenty-seven hundred dollars, as authorized by chapter fifty-three of the resolves of the present year. Board of education.
- For painting and necessary repairs upon the buildings of the state normal school at Framingham, eleven hundred and seventy dollars, as authorized by chapter fifty-four of the resolves of the present year. Normal school at Framingham.
- For the purchase of paper for the Commonwealth, as authorized by chapter fifty-six of the resolves of the present year, a sum not exceeding ten thousand dollars, and there may be used from the appropriation made the present year for printing public documents such further sum as may be necessary for the same purpose. Paper for the Commonwealth.
- For expenses at the state prison at Concord, a sum not State prison.

exceeding seventeen thousand dollars, as authorized by chapter sixty of the resolves of the present year.

Repairs at state house.

For painting the state house and making repairs in and about the same, a sum not exceeding seventeen thousand dollars, as authorized by chapter fifty-nine of the resolves of the present year.

Contagious diseases of horses and cattle.

For the purpose of exterminating contagious diseases among horses and cattle, a sum not exceeding two thousand dollars, as authorized by chapter fifty-eight of the resolves of the present year.

Reports of contested elections.

For the publication of reports of contested election cases, as authorized by chapter sixty-one of the resolves of the present year, a sum not exceeding twelve hundred dollars.

Assistant clerks of senate and house.

For the salaries of the assistant clerks of the senate and house of representatives, six hundred dollars, as authorized by chapter two hundred and fifty-seven of the acts of the present year, in addition to the amount heretofore appropriated.

Assistant register of probate for Suffolk.

For the salary of the assistant register of probate and insolvency for the county of Suffolk, five hundred dollars, as authorized by chapter one hundred and forty-four of the acts of the present year, the same to be in addition to the amount heretofore appropriated.

Commissioners of savings banks.

For the salaries of the clerks of the board of commissioners of savings banks, two hundred and ninety dollars, as authorized by chapter one hundred and forty-eight of the acts of the present year, the same to be in addition to the amount heretofore appropriated.

District-attorney for eastern district.

For the salary of the district-attorney for the eastern district, four hundred and twenty-eight dollars and thirty-three cents, as authorized by chapter one hundred and fifty-six of the acts of the present year, the same to be in addition to the amount heretofore appropriated.

State library.

For the purchase of books for the state library, one thousand dollars, as authorized by chapter one hundred and ninety-six of the acts of the present year, the same to be in addition to the amount heretofore appropriated.

State prison salaries.

For the payment of salaries at the state prison at Concord, sixteen hundred dollars, made necessary by the provisions of chapter two hundred and three of the acts of the present year, the same to be in addition to the amount heretofore appropriated.

Salaries of justices of the superior court.

For the salary of the chief justice of the superior court, three hundred and twenty-two dollars and fifty-nine cents, and for the salaries of the ten associate justices of the

superior court, three thousand two hundred and twenty-five dollars and ninety cents, as authorized by chapter two hundred and five of the acts of the present year, the same to be in addition to the amount heretofore appropriated.

For the care and maintenance of indigent and neglected children, a sum not exceeding five thousand dollars, as authorized by chapter one hundred and eighty-one of the acts of the present year.

Indigent and neglected children.

For the establishment of an agricultural experiment station, three thousand dollars, and for the maintenance of said station, three thousand seven hundred and fifty dollars, as authorized by chapter two hundred and twelve of the acts of the present year.

Agricultural experiment station.

For the purpose of providing a place for the burial of prisoners dying at the reformatory prison for women, a sum not exceeding one hundred and fifty dollars for the purchase of land, and not exceeding five hundred dollars for fencing said land and preparing it for use, as authorized by chapter two hundred and thirteen of the acts of the present year.

Burial ground at reformatory prison for women.

For the salaries of the officers in attendance upon the supreme judicial court in the county of Suffolk, sixteen hundred dollars, as authorized by chapter two hundred and thirty-two of the acts of the present year.

Officers attending S. J. C. in Suffolk.

For expenses incurred in connection with the preparation of tables and indexes relating to the statutes of the present year and subsequent years, a sum not exceeding three hundred dollars, as authorized by chapter two hundred and thirty-eight of the acts of the present year.

Tables and indexes relating to statutes.

For expenses in connection with furnishing blank forms of returns, as authorized by chapter two hundred and twenty-six of the acts of the present year, a sum not exceeding two hundred dollars.

Blank forms of returns.

For the salary of the first assistant district-attorney for the Suffolk district, sixty-one dollars and eighty-three cents, as authorized by chapter two hundred and forty-five of the acts of the present year, in addition to the amount heretofore appropriated.

Assistant district-attorney for Suffolk.

For the salary of the second assistant district-attorney for the Suffolk district, two hundred and ninety-one dollars and sixty-seven cents, as authorized by chapter two hundred and forty-five of the acts of the present year, in addition to the amount heretofore appropriated.

Second assistant district-attorney for Suffolk.

For expenses incurred in connection with the ventilation of the state prison buildings at Concord, and the disposal of sewage matter, as authorized by chapter sixty-

State prison.

five of the resolves of the year eighteen hundred and eighty-one, nine hundred and forty-three dollars and fifty-six cents.

Reform school. For the current expenses of the state reform school at Westborough, a sum not exceeding seven thousand dollars, in addition to the amount heretofore appropriated.

Doorkeepers, etc., of senate and house. For the compensation of the doorkeepers, messengers and pages to the senate and house of representatives, a sum not exceeding ten thousand dollars, in addition to the amount heretofore appropriated.

Reform school. For the payment of expenses incurred in the year eighteen hundred and eighty-one at the state reform school, one thousand and twenty-seven dollars and sixty-one cents.

Printing and binding the Public Statutes. For expenses incurred in connection with printing and binding the new Public Statutes, twelve hundred and seventy-two dollars and five cents, as authorized by chapter seventy-three of the resolves of the year eighteen hundred and eighty-one.

Expenses of committees. For the authorized expenses of committees of the present legislature, the same to include clerical services, a sum not exceeding four thousand dollars, in addition to the amount heretofore appropriated.

Surgeon-general. For the contingent expenses of the surgeon-general, a sum not exceeding one hundred dollars, the same to be in addition to the amount heretofore appropriated.

Water supply for state prison. For expenses incurred in connection with a contract for supplying the state prison at Concord with water for fire purposes, as authorized by chapter forty-eight of the resolves of the year eighteen hundred and seventy-nine, one thousand nine hundred and forty-seven dollars and ninety-five cents.

District police force. For incidental and contingent expenses of the district police force, a sum not exceeding five hundred dollars, in addition to the amount heretofore appropriated.

Taking of real estate for use of the various departments. For the payment of any expenses incurred in the purchase or taking of any real estate to provide additional accommodations for the various departments of the Commonwealth, as authorized by chapter two hundred and sixty-two of the acts of the present year, a sum not exceeding one hundred and twenty thousand dollars; and for fitting up the same for use, a sum not exceeding ten thousand dollars.

Adulteration of food and drugs. For the payment of expenses incurred in carrying out the provisions of the act relating to the adulteration of food and drugs, three thousand dollars, as authorized by chapter two hundred and sixty-three of the acts of the present year.

For the compensation of representatives, one hundred dollars in addition to the amount heretofore appropriated.

Representatives.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1882.

AN ACT CONCERNING TRANSPORTATION OF LOGS AND TIMBER UPON THE CONNECTICUT RIVER.

Chap. 274

Be it enacted, etc., as follows :

SECTION 1. The Connecticut River lumber company is authorized to construct a boom upon the Connecticut River, between the confluence of the Chicopee and Connecticut Rivers and the ferry next above said confluence, which said boom shall be provided with openings and appliances for the passage of boats and steamers that may desire to pass through the same: *provided*, said company shall not allow logs to collect or jam up on the falls between Holyoke Dam and the Connecticut River railroad bridge at Willimansett in the town of Chicopee.

May construct a boom on Connecticut River.

Proviso.

SECTION 2. Section five of chapter ninety-four of the Public Statutes is so amended that it shall apply only to that portion of the Connecticut River below the confluence of the Chicopee and Connecticut Rivers. The county commissioners of the counties of Franklin and Hampshire upon the petition of any parties in their respective counties maintaining ferries in said Connecticut River or of the owner or owners of any steamboat or pleasure boat regularly plying in said river in said counties respectively after such notice to the parties interested as said county commissioners shall deem proper shall determine the amount of damages that shall be paid by said company to said parties, or owner or owners, by reason of the floating or driving of masts, spars or logs upon said river owned or controlled by said company and not formed into rafts and attended as provided in said section five, which amount shall include the entire damage that shall be paid by said company for the year ensuing from the date named in such petition and shall be in lieu of all damages that shall be caused to such owner or owners or such parties from said cause, except wilful or malicious damages caused by said company. Either party aggrieved by the decision of said commissioners, fixing the amount of such damages, may have a jury to determine the amount thereof in the manner provided by the Public Statutes in the laying out and discontinuance of ways. In case neither party petitions to have such damages fixed, any person floating or driving masts, spars or logs upon said river not formed into rafts

Provisions of P. S. to apply only to river below the confluence of Chicopee and Connecticut Rivers.

Determination of damages.

Party aggrieved may have a jury.

and attended as provided in said section five shall pay all damages done by such floating or driving, and all persons who cause or permit such masts, spars or logs to be floated or driven shall be jointly and severally liable for all such damages to be recovered in an action of tort. This act shall not affect any existing rights nor confer any vested rights, but shall be subject to amendment or revocation.

SECTION 3. This act shall take effect upon its passage.

Approved May 27, 1882.

RESOLVES,

GENERAL AND SPECIAL.

RESOLVES CONFIRMING THE ACTS AND DETERMINING THE RANK OF CERTAIN COMMISSIONED OFFICERS OF THE MASSACHUSETTS VOLUNTEER MILITIA.

Chap. 1

Resolved, That all acts of certain officers of the Massachusetts volunteer militia done in their official capacities between the twenty-eighth day of April eighteen hundred and eighty one and the date of the passage of this resolve, who, under the opinion of the justices of the supreme judicial court, dated January third eighteen hundred and eighty-two, no longer continue to hold office, are hereby made valid and confirmed to the same extent as if such persons had been, during that time, duly qualified to discharge the duties of their several offices.

Acts of certain officers of the militia made valid.

Resolved, That in case any such officer is re-elected or re-appointed to fill the vacancy caused by the expiration of his commission under said opinion, he shall take the same rank as if he had continued to hold the same, and his commission may be renewed accordingly; and he may be qualified and assigned to duty without appearing before the examining board established under section fifty-two of chapter two hundred and sixty-five of the acts of the year eighteen hundred and seventy-eight.

Rank of officers determined.

Approved January 16, 1882.

RESOLVE RELATIVE TO THE PRINTING OF CERTAIN AMENDMENTS AND CORRECTIONS OF THE PUBLIC STATUTES.

Chap. 2

Resolved, That the persons appointed under authority of chapter seventy-two of the resolves of the year eighteen hundred and eighty-one (special session), to superintend the printing of the Public Statutes, be and they are hereby authorized and instructed to cause to be enclosed in brackets in the printed volume of said statutes the several

Amendments, etc., of the Public Statutes to be printed in brackets.

portions thereof amended by an act of the present year, entitled "An Act to correct certain errors in and to amend the Public Statutes," and also to make suitable marginal notes, showing that the amendments have been adopted, and referring to said act, which they shall also cause to be printed with this resolve, in the volume of the Public Statutes, immediately following the indorsement of approval thereof by the governor.

Approved February 1, 1882.

Chap. 3 RESOLVE AUTHORIZING THE TREASURER TO BORROW MONEY IN ANTICIPATION OF THE REVENUE.

Treasurer may borrow money in anticipation of the revenue.

Resolved, That the treasurer and receiver-general be and he is hereby authorized to borrow, in anticipation of the receipts of the present year, such sums of money as may be from time to time necessary for the payment of the ordinary demands on the treasury, at any time before the expiration of fifteen days after the meeting of the general court, at such rates of interest as shall be found necessary; and that he repay any sums he may borrow under this resolve as soon as money sufficient for the purpose and not otherwise appropriated shall be received into the treasury.

Approved February 6, 1882.

Chap. 4 RESOLVE IN FAVOR OF DAVID B. TENNEY, CITY TREASURER OF HAVERHILL.

David B. Tenney.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of fifty dollars to David B. Tenney, city treasurer of Haverhill, the same being for an over payment by him to the treasury.

Approved February 14, 1882.

Chap. 5 RESOLVE DIRECTING THE TRANSFER OF CERTAIN SUMS OF MONEY TO THE PRISON AND HOSPITAL LOAN SINKING FUND.

Transfer to the prison and hospital loan sinking fund.

Resolved, That the treasurer is authorized and directed to transfer fourteen thousand three hundred and ninety-eight dollars and twenty-one cents, and thirteen hundred and five dollars and fifty-nine cents, the same being balances standing to the credit of the accounts of the State prisons loan, and Worcester lunatic hospital loan, respectively, to the prison and hospital loan sinking fund; and said sums shall hereafter constitute a part of said sinking fund, and shall be invested and used for the purposes for which said fund was established.

Approved February 21, 1882.

RESOLVE IN FAVOR OF THE OVERSEERS OF THE POOR OF THE TOWN OF TEMPLETON. *Chap. 6*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of twenty-nine dollars and fifty-seven cents to the overseers of the poor of the town of Templeton, the same being for an amount improperly paid by them into the treasury.

Allowance to overseers of the poor of Templeton.

Approved February 21, 1882.

RESOLVE TO PROVIDE FOR INCREASING THE BARN ACCOMMODATIONS OF THE STATE ALMSHOUSE AT TEWKSBURY. *Chap. 7*

Resolved, That a sum not exceeding two thousand five hundred dollars be allowed and paid out of the treasury of the Commonwealth, to be expended under the direction of the trustees of the state almshouse, for increasing the barn accommodations of said institution.

Increased barn accommodations at state almshouse.

Approved February 24, 1882.

RESOLVE IN FAVOR OF WILLIAM MAGGINNIS. *Chap. 8*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, to William Magginnis, late of company A, of the first regiment of Massachusetts cavalry, the sum of three hundred and twenty-five dollars as state bounty; being the amount which he would have been entitled to receive had he been mustered into service on the twenty-ninth day of December in the year eighteen hundred and sixty-three. *Approved February 28, 1882.*

William Magginnis.

RESOLVE IN FAVOR OF WILLIAM FREEMAN. *Chap. 9*

Resolved, That on and after the first day of March in the year eighteen hundred and eighty-two, William Freeman, a volunteer in the naval service of the United States during the war of the rebellion, shall be entitled to receive the same military and state aid which he would have been entitled to receive had his name during his service been upon the rolls as part of the quota of the Commonwealth.

William Freeman.

Approved February 28, 1882.

RESOLVE IN FAVOR OF CHARLES S. BOLTON. *Chap. 10*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Charles S. Bolton, who was a member of company H, of the seventeenth regiment of Massachusetts volunteers, the sum of one hundred and seven dollars and thirty-three cents, as arrears of state bounty. *Approved March 1, 1882.*

Charles S. Bolton.

Chap. 11

RESOLVE IN FAVOR OF MELZAR W. COOMBS.

Melzar W.
Coombs.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Melzar W. Coombs, the sum of three hundred dollars, to defray the necessary expenses incurred, and as final compensation for permanent injuries received in consequence of having his foot crushed while in discharge of his duty as a member of battery C, first battalion of light artillery, second brigade, of Massachusetts volunteer militia, on the ninth day of September in the year eighteen hundred and eighty-one.

Approved March 1, 1882.

Chap. 12

RESOLVE PROVIDING FOR THE PAYMENT OF CERTAIN BILLS IN CONNECTION WITH THE IMPROVEMENTS IN THE BASEMENT OF THE STATE HOUSE.

Allowance for
improvements
in basement of
state house.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of sixteen thousand nine hundred and forty-seven dollars and twenty cents, the same being for the payment of bills now due, and on file in the auditor's department, having been incurred for extra labor and material, in connection with the improvements in the basement of the state house, authorized by chapter sixty-eight of the resolves of the year eighteen hundred and eighty-one.

Approved March 3, 1882.

Chap. 13

RESOLVE IN FAVOR OF THE OVERSEERS OF THE POOR OF THE CITY OF NEW BEDFORD.

Allowance to
the overseers
of the poor of
New Bedford.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the overseers of the poor of the city of New Bedford, three hundred and forty-six dollars and seventy-one cents: said sum having been paid, under a mistake of facts, for the support of John Ormand at the Taunton lunatic hospital, said Ormand having no settlement in any city or town in this Commonwealth.

Approved March 16, 1882.

Chap. 14

RESOLVE IN RELATION TO THE PURCHASE OF UNDIVIDED PORTIONS OF FLATS OWNED IN PART BY THE COMMONWEALTH.

May purchase
undivided
interests in
flats, etc., near
northerly shore
of South
Boston.

Resolved, That the harbor and land commissioners are authorized to purchase certain undivided interests in the lands and flats lying near the northerly shore of South Boston, between E Street extended and B Street, at an expense not exceeding ten thousand dollars, in accordance with the provisions of chapter four hundred and forty-six

of the acts of the year eighteen hundred and sixty-nine ; said sum to be paid from the Commonwealth flats improvement fund. *Approved March 16, 1882.*

RESOLVE AUTHORIZING THE USE OF THE STATE CAMP-GROUND AT FRAMINGHAM BY THE GRAND ARMY OF THE REPUBLIC. *Chap. 15*

Resolved, That the quartermaster-general, under the direction of the commander-in-chief, be and he hereby is authorized to permit the department of Massachusetts of the grand army of the republic to use and occupy the state camp-ground at Framingham, and its appurtenances, for the purpose of a state encampment, at times when such use and occupation will not interfere with the use of said camp-ground by the militia. *Approved March 21, 1882.*

Encampment of the Grand Army of the Republic at the state camp-ground.

RESOLVE IN RELATION TO LOAN AND TRUST COMPANIES. *Chap. 16*

Resolved, That so much of the annual report of the commissioners of savings banks as relates to the enactment of a general law for the incorporation and regulation of loan and trust companies, be referred to the commissioners of savings banks and the commissioner of corporations, with instructions to consider the subject and report a bill therefor to the next general court.

Bill for incorporation, etc., of loan and trust companies by general law, to be reported.

Approved March 21, 1882.

RESOLVE PROVIDING FOR REPAIRS UPON THE BUILDINGS OF THE STATE NORMAL SCHOOL AT BRIDGEWATER. *Chap. 17*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding fifteen hundred dollars, for repairs upon the state normal school buildings at Bridgewater ; the same to be expended under the direction of the board of education.

Repairs upon state normal school buildings at Bridgewater.

Approved March 21, 1882.

RESOLVE IN FAVOR OF THE MASSACHUSETTS CHARITABLE EYE AND EAR INFIRMARY. *Chap. 18*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth ten thousand dollars to the Massachusetts charitable eye and ear infirmary, to be expended under the direction of the managers thereof for the charitable purposes of said infirmary for the present year ; and the said managers shall report to the state board of health, lunacy and charity. *Approved March 21, 1882.*

Massachusetts charitable eye and ear infirmary.

- Chap.* 19 RESOLVE TO PROVIDE FOR REPAIRING THE DWELLING HOUSE OF SAMUEL C. CISCO AND SARAH M. CISCO, MEMBERS OF THE HASSANAMISCO TRIBE OF INDIANS.

Samuel C. Cisco
and Sarah M.
Cisco,

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the selectmen of the town of Grafton, the sum of two hundred dollars, to be expended by them in repairing the dwelling house of Samuel C. Cisco and Sarah M. Cisco, members of the Hassanamisco tribe of Indians. *Approved March 23, 1882.*

- Chap.* 20 RESOLVE DIRECTING THE BUREAU OF STATISTICS OF LABOR TO INVESTIGATE THE LIABILITY OF EMPLOYERS FOR INJURIES RECEIVED BY THEIR EMPLOYÉS.

Subject of
liability of em-
ployers for in-
juries received
by their em-
ployés.

Resolved, That the bureau of statistics of labor investigate the subject of the liability of employers to workmen for injuries received while in the discharge of their duty, and consider what changes, if any, are needed in the existing laws relative to such liability, and embody the results of such investigation and consideration in the fourteenth annual report of said bureau: *provided*, such investigation can be conducted within the appropriation already made for clerical and contingent expenses of said bureau for the current year. *Approved March 27, 1882.*

- Chap.* 21 RESOLVE IN FAVOR OF FANNY ROSS.

Fanny Ross,

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Fanny Ross, of Cambridge, widow of the late Michael Ross, who was a member of company B, forty-seventh regiment of Massachusetts volunteers and re-enlisted in the fifty-ninth regiment, and died in camp before being mustered in on said re-enlistment, an annuity of two hundred dollars, for the term of three years from the first day of January in the year eighteen hundred and eighty-two, payable in equal quarterly instalments. *Approved March 27, 1882.*

- Chap.* 22 RESOLVE IN FAVOR OF THE STATE NORMAL SCHOOL AT WORCESTER.

Repairs at
state normal
school at
Worcester,

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars for the repair of the building and improvement of the grounds of the state normal school at Worcester: the same to be expended under the direction of the board of education. *Approved March 27, 1882.*

RESOLVE IN FAVOR OF AUGUSTUS N. DAVIS.

Chap. 23

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Augustus N. Davis, the sum of three hundred dollars, to defray the necessary expenses incurred and as a compensation for permanent injuries received while in discharge of his duty as a member of company H, first regiment of infantry, Massachusetts volunteer militia, on the twenty-first day of September in the year eighteen hundred and eighty-one.

Augustus N.
Davis.*Approved March 27, 1882.*

RESOLVE IN FAVOR OF WILLIAM B. F. WHALL.

Chap. 24

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred dollars to William B. F. Whall, the same being for services as clerk of the joint special committee to prepare a copy of the Public Statutes for enactment.

William B. F.
Whall.*Approved March 27, 1882.*

RESOLVE IN FAVOR OF THE TOWN OF QUINCY.

Chap. 25

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the town of Quincy, the sum of one hundred and thirty-seven dollars and twenty-five cents, being the amount due said town from the Commonwealth for temporary aid furnished state paupers resident in said town, in the year eighteen hundred and seventy-nine.

Allowance to
the town of
Quincy.*Approved March 27, 1882.*

RESOLVE PROVIDING FOR AN ABSTRACT OF THE SOCIAL AND INDUSTRIAL STATISTICS OF THE COMMONWEALTH AS COLLECTED IN THE TENTH UNITED STATES CENSUS.

Chap. 26

Resolved, That for the purpose of enabling the bureau of statistics of labor to complete an abstract of the social and industrial statistics of the Commonwealth collected in the tenth United States census, the chief of said bureau is authorized to expend, for clerical assistance and contingent expenses, a sum not exceeding one thousand dollars, in addition to the amount now authorized by law for the expenses of said bureau. Said abstract shall be published as a part of or as a supplement to the thirteenth annual report of said bureau, and shall contain the social, agricultural and manufacturing statistics of the several cities and towns of the Commonwealth.

Social and
industrial statistics
of the
Commonwealth
to be printed,
etc.*Approved March 28, 1882.*

- Chap. 27** RESOLVE GRANTING THE COMMITTEE ON PRINTING POWER TO SELL THE COMMONWEALTH'S TYPE USED IN THE PUBLICATION OF THE PUBLIC STATUTES.

Type used in publication of the Public Statutes to be sold.

Resolved, That the committee on printing are hereby authorized to dispose of the Commonwealth's type, used in the publication of the Public Statutes, in such manner as their best judgment may determine, and if deemed expedient they may employ the services of some auctioneer; and shall forthwith make a statement of their transaction to the treasurer of the Commonwealth, who shall receive from the purchaser or purchasers of the same the amount of the purchase money thereof, and shall therefrom pay the expenses of such sale. *Approved March 28, 1882.*

- Chap. 28**

Town of Charle-
mont.

RESOLVE IN FAVOR OF THE TOWN OF CHARLEMONT.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of three hundred and eighty-six dollars and fifty cents to the town of Charle-
mont, the same being in full settlement for support and assistance rendered Michael Dardis, John Foley and John Farrell, state paupers, during the period from the eleventh day of August in the year eighteen hundred and seventy-five to the eighth day of February in the year eighteen hundred and seventy-six. *Approved March 28, 1882.*

- Chap. 29**

John Ford.

RESOLVE IN FAVOR OF JOHN FORD.

Resolved, That the treasurer of the county of Middlesex be and he is hereby authorized and required to refund and pay over to John Ford the amount of eight hundred and eighty dollars and eighty-one cents, which said amount was received and is now in the treasury of said county, having been paid by said Ford on account of a judgment and execution in favor of the Commonwealth against him as surety on a forfeited recognizance; said Ford having since said payment caused his principal to be surrendered and sentenced. *Approved March 30, 1882.*

- Chap. 30** RESOLVE CONFIRMING THE AWARDS OF ARBITRATORS, UNDER AGREEMENTS MADE BY THE MANAGER OF THE TROY AND GREENFIELD RAILROAD AND HOOSAC TUNNEL WITH AUSTIN DEWOLF, LATHROP T. SMITH, JOSEPH D. NEWTON AND PATRICK T. O'REILLY.

Awards of arbitrators confirmed.

Resolved. That the several awards made by Edmund H. Bennett, Joseph O. Proctor and Justin Dewey, in pursuance of the following agreements for arbitration, namely:

— an agreement between the manager of the Troy and Greenfield Railroad and Hoosac Tunnel and Austin De Wolf; an agreement between said manager and Lathrop T. Smith; an agreement between said manager and Joseph D. Newton; and an agreement between said manager and Patrick T. O'Reilly:— all for the adjustment of damages occasioned by the taking of land in Greenfield for the Troy and Greenfield Railroad, are approved, ratified and confirmed, and said manager is authorized, in accordance with the award made under the last named agreement, to release to said Patrick T. O'Reilly all the rights of the Commonwealth in a strip of land situated between the dwelling house of said O'Reilly and the fence now in front thereof, said fence being twenty-seven and two-tenths feet from the westerly corner of the brick foundation of said dwelling house, and thirty-four and six-tenths feet from the easterly corner of said brick foundation, in both cases measured by extending the side lines of said dwelling house straight to the said fence. The said parties having elected to retain their respective rights of drainage, drains shall be maintained by the Commonwealth and its assigns as provided in said awards. Said awards shall be recorded in the registry of deeds for the county of Franklin.

Approved March 30, 1882.

RESOLVE PROVIDING FOR THE PRINTING OF ADDITIONAL COPIES OF THE REPORT OF THE TRUSTEES OF THE AGRICULTURAL COLLEGE.

Chap. 31

Resolved, That there be printed five hundred additional copies of the report of the trustees of the agricultural college for the year eighteen hundred and eighty-one, for the use of that institution.

Report of trustees of Agricultural College.

Approved March 30, 1882.

RESOLVE PROVIDING FOR THE PUBLICATION OF A NEW EDITION OF THE STATUTES RELATING TO PUBLIC SCHOOLS.

Chap. 32

Resolved, That an amount not exceeding five hundred dollars be allowed and paid out of the treasury of the Commonwealth for the purpose of printing, for the use of the cities and towns, three thousand copies of the edition of the Public Statutes relating to the public schools, together with the decisions of the supreme judicial court relating thereto; said amount to be expended under the direction of the board of education.

Statutes relating to public schools to be printed, etc.

Approved March 30, 1882.

Chap. 33 RESOLVE AUTHORIZING THE TRUSTEES OF THE STATE LUNATIC HOSPITAL AT TAUNTON TO EXCHANGE LAND WITH THE OLD COLONY RAILROAD COMPANY.

Trustees of lunatic hospital at Taunton may exchange land with Old Colony Railroad.

Resolved, That the trustees of the state lunatic hospital at Taunton are hereby authorized to exchange a strip of land on the west side of the hospital farm, containing four or five acres more or less, for a tract of land of substantially the same extent belonging to the Old Colony Railroad Company.

Approved March 30, 1882.

Chap. 34 RESOLVE IN FAVOR OF RICE AND HUTCHINS.

Rice and Hutchins.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of ten hundred and seventy-eight dollars and ninety-two cents, to the firm of Rice and Hutchins, the same being for certain money overpaid by them for labor of certain convicts in the state prison, and interest thereon.

Approved April 1, 1882.

Chap. 35 RESOLVE IN FAVOR OF THE TOWNS OF OTIS, SANDISFIELD AND TOLLAND.

Towns of Otis, Sandisfield and Tolland.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the following named towns, respectively, the sums herein below set against their names, in re-imbursement of payments made towards the construction of the Lee and New Haven Railroad, in consequence of the proposed loan of three hundred thousand dollars by the Commonwealth, under chapter three hundred and thirteen of the acts of the year eighteen hundred and sixty-eight, and the supposed renewal thereof by chapter three hundred and eighty-seven of the acts of the year eighteen hundred and seventy:—

Otis, sixteen thousand dollars; Sandisfield, twenty-four thousand dollars; Tolland, fifteen thousand dollars.

Approved April 5, 1882.

Chap. 36 RESOLVE PROVIDING FOR THE PAINTING OF THE BUILDINGS OF THE STATE PRIMARY SCHOOL AT MONSON.

State primary school at Monson.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-five hundred dollars, for painting the buildings of the state primary school at Monson; the same to be expended under the direction of the trustees of that institution.

Approved April 5, 1882.

RESOLVE RELATING TO THE WAR RECORDS IN THE DEPARTMENT
OF THE ADJUTANT-GENERAL.*Chap. 37*

Resolved, That the adjutant-general is authorized to continue the work on the war records in his department, authorized by chapter thirty-eight of the resolves of the year eighteen hundred and eighty-one, at an expense, during the present year, not exceeding two thousand dollars.

War records in the department of the adjutant-general.

Approved April 5, 1882.

RESOLVE IN FAVOR OF JENNIE S. CAPRON AND THE CHILDREN OF
CLEMENT L. CAPRON.*Chap. 38*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Jennie S. Capron, of North Adams, widow of the late Clement L. Capron, who was killed at said North Adams on the second day of November, in the year eighteen hundred and eighty, by the careless switching of the cars of the Troy and Greenfield Railroad, the sum of three hundred dollars; and in addition thereto, during the period of four years from and after the first day of January in the year eighteen hundred and eighty-three, should she so long survive, in equal quarterly payments, an annuity of three hundred dollars per annum; and in case of her decease or marriage during the said term the same shall be paid to the legally appointed guardian or guardians of the children of said Clement L. Capron.

Allowance to Jennie S. Capron and the children of Clement L. Capron.

Approved April 10, 1882.

RESOLVE IN FAVOR OF SAMUEL HILLMAN.

Chap. 39

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, to Samuel Hillman of North Adams, an annuity of one hundred and twenty-five dollars, for the term of five years from the first day of January in the year eighteen hundred and eighty-two, for injuries sustained while employed at the Hoosac Tunnel; the cause of said injury being an explosion of glycerine which had been carelessly left by employés of the Commonwealth.

Annuity to Samuel Hillman.

Approved April 14, 1882.

RESOLVE IN FAVOR OF JAMES BURKE.

Chap. 40

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, to James Burke of Turner's Falls, an annuity of one hundred dollars for the term of five years from the first day of January in the year eighteen hundred and eighty-two, in equal quarterly payments, on account of injuries received in the Hoosac Tunnel while in the employment of the Commonwealth.

Annuity to James Burke.

Approved April 19, 1882.

Chap. 41 RESOLVE RELATING TO THE SEPARATE HOMEOPATHIC TREATMENT OF INSANE PERSONS.

Homeopathic treatment of the insane.

Resolved, That the governor and council be requested to consider the expediency of providing separate homeopathic treatment of insane persons under the care of the Commonwealth, who shall desire such treatment; and in case they shall determine that the same is desirable they are requested to present to the next general court some practicable plan for the establishment of a hospital for such treatment, and they may set apart or reserve for the purpose the whole or a portion of any building belonging to the Commonwealth which is unoccupied or may become vacant during the present year.

Approved April 19, 1882.

Chap. 42 RESOLVE IN FAVOR OF THE DISABLED SOLDIERS' EMPLOYMENT BUREAU.

Disabled soldiers' employment bureau.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the disabled soldiers' employment bureau, the sum of two thousand dollars; *provided,* that there shall not be paid to the superintendent of said bureau, as a salary for the current year, a sum exceeding twelve hundred dollars.

Approved April 21, 1882.

Chap. 43 RESOLVE IN FAVOR OF THE STATE LUNATIC HOSPITAL AT DANVERS.

Lunatic hospital at Danvers.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the trustees of the state lunatic hospital at Danvers, the sum of twenty-five thousand dollars, for the current expenses of said hospital, and to meet deficiencies of the year eighteen hundred and eighty-one: *provided,* that seventeen thousand dollars of this sum be applied to meet said deficiencies.

Approved May 1, 1882.

Chap. 44 RESOLVE IN REGARD TO ADDITIONAL CLERICAL ASSISTANCE AT THE STATE PRISON AT CONCORD.

Clerical assistance at state prison.

Resolved, That the warden of the state prison at Concord is authorized to employ additional clerical assistance for such time during the present year as he may find necessary, at an expense not exceeding twelve hundred dollars.

Approved May 2, 1882.

RESOLVE IN FAVOR OF THE STATE LUNATIC HOSPITAL AT TAUNTON. *Chap. 45*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, to the trustees of the state lunatic hospital at Taunton, twelve thousand five hundred dollars, to be expended for the following purposes: — Twenty-five hundred dollars for the completion of the rear extension of the centre building of the hospital, authorized by chapter sixty-four of the resolves of the year eighteen hundred and eighty-one; eight thousand dollars for the purchase of a tract of about five acres of land, with the buildings thereon, adjoining the rear boundary line of the grounds of said hospital; and the remainder for fencing and improving the land so purchased.

Lunatic hospital at Taunton.

*Approved May 4, 1882.*RESOLVE IN FAVOR OF THE STATE LUNATIC HOSPITAL AT WORCESTER. *Chap. 46*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the trustees of the state lunatic hospital at Worcester, ten thousand dollars, to be expended for furnishing to said hospital additional water supply for protection against fire and for other purposes.

Lunatic hospital at Worcester.

*Approved May 4, 1882.*RESOLVE RELATIVE TO DISPENSING WITH THE GRADE CROSSINGS OF RAILROADS IN THE NORTHERLY PART OF THE CITY OF BOSTON. *Chap. 47*

Resolved, That the board of railroad commissioners be directed to inquire into the practicability and expediency of causing all the railroad corporations whose railroads, operated by steam power, enter into the northerly part of the city of Boston, to dispense with the grade crossings of such railroads; and that said board report upon said subject to the next general court, with such suggestions as to suitable legislation to accomplish the purposes indicated, either in whole or in part, as to said board may seem expedient.

Railroad commissioners' report to general court concerning grade crossings of railroads at northerly part of Boston.

*Approved May 10, 1882.*RESOLVE IN FAVOR OF THOMAS F. MANEY. *Chap. 48*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Thomas F. Maney, the sum of three hundred dollars, in full for labor done at and about the state prison at Concord.

Thomas F. Maney.

Approved May 10, 1882.

Chap. 49 RESOLVE IN FAVOR OF THE MASSACHUSETTS AGRICULTURAL COLLEGE.Massachusetts
Agricultural
College.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the trustees of the Massachusetts agricultural college, nine thousand dollars, to be expended under the direction of said trustees in the following manner: four thousand dollars for making repairs on the college buildings belonging to the Commonwealth, and five thousand dollars for the erection of a drill house for the military instruction of the students of the college. The payment of said sums shall be made upon bills for work done and materials furnished for the purposes herein specified, which shall be approved by said trustees and allowed by the auditor of the Commonwealth.

Approved May 12, 1882.

Chap. 50County taxes
granted.

RESOLVE GRANTING COUNTY TAXES.

Resolved, That the sums placed against the names of the several counties in the following schedule are granted as a tax for each county, respectively, to be collected and applied according to law: — Barnstable, seventeen thousand dollars, provided that not less than thirty-eight hundred dollars thereof be applied to the reduction of the existing debt of said county; Berkshire, sixty-five thousand dollars, provided that not less than ten thousand dollars thereof be applied to the reduction of the existing debt of said county; Bristol, one hundred and ten thousand nine hundred dollars, provided that six thousand dollars thereof be applied to the reduction of the existing debt of said county; Dukes, seven thousand three hundred dollars, provided that not less than one thousand dollars thereof be applied to the reduction of the existing debt of said county; Essex, one hundred and fifty-three thousand seven hundred dollars, provided that not less than thirty-two thousand dollars thereof be applied to the reduction of the existing debt of said county; Franklin, twenty-eight thousand dollars, provided that not less than two thousand dollars thereof be applied to the reduction of the existing debt of said county; Hampden, seventy-seven thousand dollars; Hampshire, thirty-eight thousand dollars, provided that not less than one thousand dollars thereof be applied to the reduction of the existing debt of said county; Middlesex, one hundred and twenty thousand dollars; Norfolk, sixty-two thousand dollars; Plymouth, forty-five thousand dollars; Worcester, one hundred and ten thousand dollars.

Approved May 12, 1882.

RESOLVE IN FAVOR OF THE MASSACHUSETTS SCHOOL FOR IDIOTIC AND FEEBLE-MINDED YOUTH. *Chap. 51*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the trustees of the Massachusetts school for idiotic and feeble-minded youth, four thousand five hundred dollars, to be expended by them in providing their buildings with proper facilities for security against fire. *School for idiotic and feeble-minded youth.*
Approved May 16, 1882.

RESOLVE AUTHORIZING THE PLACING OF A MEMORIAL OF THE LATE COLONEL ROBERT G. SHAW UPON THE STATE HOUSE GROUNDS. *Chap. 52*

Resolved, That the commissioners on the state house be authorized to grant permission to the Shaw monument committee to place upon the state house grounds an equestrian alto-relief, in bronze, of the late Robert G. Shaw, colonel of the fifty-fourth regiment, Massachusetts volunteers. *Memorial of Col. Robert G. Shaw upon the state house grounds.*
Approved May 16, 1882.

RESOLVE PROVIDING FOR THE COMPENSATION OF AN ADDITIONAL AGENT OF THE BOARD OF EDUCATION. *Chap. 53*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-seven hundred dollars, in addition to the amount now authorized by law, to enable the board of education to employ an additional agent for the year eighteen hundred and eighty-two. *Agent of the board of education.*
Approved May 16, 1882.

RESOLVE IN FAVOR OF THE STATE NORMAL SCHOOL AT FRAMINGHAM. *Chap. 54*

Resolved, That there be allowed and paid from the treasury of the Commonwealth, a sum not exceeding one thousand one hundred and seventy dollars for blackboards, painting and other necessary repairs upon the buildings of the state normal school at Framingham; the same to be expended under the direction of the board of education. *Normal school at Framingham.*
Approved May 19, 1882.

RESOLVE IN FAVOR OF PRISCILLA FREEMAN. *Chap. 55*

Resolved, That there be allowed and paid out of the appropriation for the present year for the compensation and expenses of the commissioners on inland fisheries, to Priscilla Freeman, the sum of five hundred dollars, which sum shall be in full of all claims of every kind whatsoever of said Priscilla Freeman against the Commonwealth. *Priscilla Freeman.*

Approved May 19, 1882.

Chap. 56 RESOLVE PROVIDING FOR THE PURCHASE OF PAPER FOR THE COMMONWEALTH.

Paper used under contract for printing to be purchased by the secretary of the Commonwealth.

Resolved, That on and after the first day of July in the year eighteen hundred and eighty-two the secretary of the Commonwealth is authorized to purchase the paper used in the execution of the contract for the state printing, at the lowest market prices for the same: *provided*, that each purchase shall be subject to the approval of the governor and council; and bills for the same, in each case, shall be exhibited as vouchers, which shall be audited as required by law; and such bills shall be approved by the governor and council.

Approved May 25, 1882.

Chap. 57 RESOLVE IN RELATION TO THE STATE PRINTING, AND CONTRACT FOR THE SAME.

State printing to be done under contract for a term of five years.

Resolved, That the chairman of the committee on printing on the part of the senate, the chairman of said committee on the part of the house of representatives, the secretary, the treasurer, and the auditor of the Commonwealth, the clerk of the senate and the clerk of the house of representatives, are directed to advertise for proposals for the execution of all the printing for the several departments of the government of the Commonwealth, for a term of five years from the first day of July in the year eighteen hundred and eighty-two, in substantial accordance with the terms of the form of contract herewith submitted and made a part of this resolve; they shall take into consideration the circumstances and facilities of the several bidders for doing the work as well as the terms offered; they may reject any bids received, and they shall award the contract to such bidder as in their judgment the interests of the Commonwealth may require; and they may execute such contract in the name and behalf of the Commonwealth. Bonds satisfactory to the said officers, to an amount not less than ten thousand dollars, shall be given by the party to whom such contract is awarded, for the faithful performance of the contract.

The contract made by virtue of this resolve shall embrace all of the provisions contained in the following form of contract, and such other and further provisions as shall be agreed upon by the parties and approved by the governor and council, not inconsistent with any of the provisions contained in said form of contract.

FORM OF CONTRACT.

Form of contract.

This agreement entered into this _____ day of _____ A.D. 1882, by and between the Commonwealth of Massachusetts acting by the Chairman of the Committee on Printing on the part of the Senate and the Chairman of said Committee on the part of the House of Representatives, the Secretary, the Treasurer and the Auditor of the Commonwealth, the Clerk of the Senate and the Clerk of the House of Representatives, of the first part, and _____ of _____ in the Commonwealth, printers, of the second part, witnesseth, —

1. The parties of the second part promise to and agree with the party of the first part that they will, in a prompt, faithful and workmanlike manner, do and perform all the printing and other work required by the terms of this contract for the various departments of the government of the Commonwealth, from the first day of July, A.D. 1882, until the first day of July, A.D. 1887; that they will in all cases give precedence to the work to be performed and furnished hereunder over any and all other similar work performed or furnished by them; that they will perform said printing and perform and furnish the work hereunder for the said departments, at the following rates and prices and upon the following terms, which shall be in full compensation and satisfaction for all printing and other work performed or furnished as herein provided for, to wit: —

COMPOSITION.

For all book and pamphlet work whether of one or more leaves, _____ cents for each and every thousand ems; for tabular and column work, being that for which the workman is entitled to extra pay at the rate of one and a half price, _____ cents for each and every thousand ems; for rule and figure work, being that for which the workman is entitled to extra pay at the rate of double price, _____ cents for each and every thousand ems.

BOOK AND PAMPHLET PRESS WORK.

For medium size, _____ cents for five hundred copies, and at the same rate for fractional parts of five hundred; sizes smaller than medium to rate as medium; for double medium size, double the rates for medium size.

Form of contract.

PRINTING SUPER-ROYAL WRITING SHEETS. OR SMALLER SIZES LARGER THAN FOLIO POST.

For one ream printed on one side, .
 For one ream printed on both sides on one form, .
 For one ream printed on both sides on two forms, .
 For each additional ream printed on one side, .
 For each additional ream printed on both sides, .
 Additional parts of reams *pro rata* of the additional ream rate.

PRINTING FOLIO POST SHEETS OR SMALLER SIZES LARGER THAN CAP (FOURTEEN BY SEVENTEEN INCHES).

For one ream printed on one side, .
 For one ream printed on both sides on one form, .
 For one ream printed on both sides on two forms, .
 For each additional ream printed on one side, .
 For each additional ream printed on both sides, .
 Additional parts of reams *pro rata* of the additional ream rate.

PRINTING CAP SHEETS (FOURTEEN BY SEVENTEEN INCHES), OR SMALLER SIZES LARGER THAN NOTE SHEETS.

For one ream printed on one side, .
 For one ream printed on both sides on one form, .
 For one ream printed on both sides on two forms, .
 For each additional ream printed on one side, .
 For each additional ream printed on both sides, .
 Additional parts of reams *pro rata* of the additional ream rate.

PRINTING SHEETS OR PARTS OF SHEETS ONE-FOURTH SIZE OF FOLIO POST (EIGHT AND A HALF BY ELEVEN INCHES), OR SMALLER.

For one hundred sheets or less printed on one side, .
 For one hundred sheets or less printed on both sides, .
 For each additional one hundred sheets printed on one side, .
 For each additional one hundred sheets printed on both sides, .

EXTRA WORK.

Form of contract.

For extra work (except blank work for which no extra charge shall be made) caused by changes and alterations from copy, _____ cents per hour shall be charged and paid, and for work required to be performed at night after usual business hours during the session of the legislature, _____ cents per hour shall be charged and paid; for other work for which the workman is entitled to extra pay the increase of rate shall be in accordance with the rules in De Vinne's Price List, edition of 1871; which book shall also be the authority to determine what work shall class as price and a half and double price work, and also any questions of a technical character arising under this contract. The prices mentioned in this section for extra work are to be allowed for each workman so employed, and in addition to the prices stipulated in this contract for composition and press work.

2. Said parties of the second part further agree that they will fold, stitch, and bind, as directed by the several departments of the Commonwealth, all pamphlets and other documents which may need it, — the same to be done at the lowest market rates as done by first class binders; that they will furnish plans, plates, and engravings, except for engraved bonds, engraved checks and work of a similar character, when required by any department, also at the lowest market rates; and when either of said classes of work is performed or furnished by parties other than the parties of the second part, the same shall be furnished to the Commonwealth at actual cost and at the lowest market prices, and the bills for the same shall in all cases be produced as vouchers for such work; and when such work is so furnished by other parties, there shall be allowed a commission to the parties of the second part not exceeding five per centum upon said actual cost and market rates.

3. And the said parties of the second part further agree —

(a) That all work not herein specified shall be done at the current rates of first class printing houses, except where the same can be determined *pro rata* by reference to the terms of this contract;

(b) That jobs properly requiring changes on press shall not be charged as separate jobs but by time required for changes, and in no case to exceed their price as separate jobs;

(c) That eighteen quires of writing paper and nineteen

Form of contract.

quires of printing paper to a ream shall be returned in perfect printed work, and the full number ordered shall be made to hold out,—the surplus outside quires to the ream to belong to the parties of the second part, for the purpose of making the copies hold out as ordered, and waste sheets. Ten per cent. of envelopes and five per cent. of cards or other stock shall be allowed to the parties of the second part, for waste and for making orders hold out in full supply ;

(*d*) That they will receive the paper or other stock furnished by the Commonwealth in such quantities as shall be convenient for supplying the work in progress, and will accept per month in full satisfaction for storage, care of and responsibility for safe keeping of the same (but not for insurance against fire) ;

(*e*) That all rates for press work or printing stated in this contract shall include dry pressing and completing in workmanlike manner, and delivering, and no extra charge shall be made for proofs ;

(*f*) And that two hundred and fifty sheets of paper printed on one or both sides shall be computed as only one token, and if the number ordered at any time shall be less than one token it shall be computed as a full token.

4. The said Commonwealth, by said parties of the first part in its behalf, agrees to give to said parties of the second part all the printing and other work to be performed by the terms of this contract for the several departments of the government of the Commonwealth for the term, at the prices, and on the terms and conditions, enumerated in this contract ; to examine the accounts as presented by the said parties of the second part from time to time, for the work or materials completed or furnished hereunder ; and conditionally, upon the faithful performance of the terms of this contract by the parties of the second part, to pay said accounts as soon as may be after they are audited and a warrant issued therefor, as required by law, by the governor and council.

5. It is understood and agreed that this contract shall not apply to or include envelopes with printing upon them, letter paper with printed headings, blank books, or any forms or blanks used in the various departments of the Commonwealth, in which printed matter occurs, unless the printing covers one-half or more of the entire surface of the sheet ; and shall not apply to or include any printing from such engraved plates as, by the preceding terms of this contract, the parties of the second part are not required to furnish.

Approved May 26 1882.

RESOLVE AUTHORIZING AN EXPENDITURE FOR EXTERMINATING CONTAGIOUS DISEASES AMONG HORSES AND CATTLE. *Chap. 58*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding two thousand dollars, to be expended under the direction of the cattle commissioners for the purpose of exterminating contagious diseases among horses and cattle in the Commonwealth.

Contagious diseases among horses and cattle.

Approved May 26, 1882.

RESOLVE PROVIDING FOR PAINTING THE STATE HOUSE, AND MAKING REPAIRS IN AND ABOUT THE SAME. *Chap. 59*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, a sum not exceeding seventeen thousand dollars, for the purpose of painting the outside of the state house, and making other necessary repairs in and about the same; to be expended under the direction of the sergeant-at-arms and the commissioners on the state house.

Repairs upon the state house.

Approved May 26, 1882.

RESOLVE IN FAVOR OF THE STATE PRISON AT CONCORD. *Chap. 60*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding seventeen thousand dollars, to be expended under the direction of the commissioners of prisons at the state prison at Concord, for the following purposes, to wit: three thousand dollars for building a stable; three thousand dollars for the disposal of sewage matter; twenty-five hundred dollars for repairs on the prison buildings; two thousand dollars for furnishing the residence of the warden; three thousand five hundred dollars for a laundry and for improvement of the bathing facilities of the prison; and three thousand dollars for the construction of a reservoir, and for pipe and piping to secure better protection against fire.

State prison at Concord.

Approved May 26, 1882.

RESOLVES FOR THE PUBLICATION OF THE REPORTS OF CASES OF CONTESTED ELECTIONS. *Chap. 61*

Resolved, That the president of the senate and the speaker of the house of representatives are authorized and requested to appoint two suitable persons, to prepare and publish an edition of the reports of contested elections of the legislature from the year eighteen hundred and fifty-three to the year eighteen hundred and eighty-two inclusive, with a suitable index thereto, and they shall fix the compensation of the persons so appointed.

Reports of cases of contested elections to be published.

Resolved, That the persons so appointed shall include in or append to the publication hereby authorized all opinions given by the supreme judicial court relating to such elections.

Resolved, That the number of copies of the publication hereby authorized shall not exceed one thousand, and shall be distributed as follows; one copy shall be furnished to each public library in the Commonwealth, and one copy to each town in which there is no public library, and the remainder shall be distributed in such manner as the president of the senate and the speaker of the house of representatives may determine; and the total expense of preparing and publishing said reports shall not exceed the sum of twelve hundred dollars. *Approved May 26, 1882.*

THE General Court of 1882, during its annual session, passed two hundred and seventy-four Acts and sixty-one Resolves, which received the approval of his Excellency the Governor. In addition to these, an Act entitled "An Act to regulate the practise of dentistry," was laid before the Governor, for his approval, and was returned by him to the Senate, in which it originated, with his objections thereto. The Senate proceeded to reconsider the same agreeably to the provisions of the Constitution, and the vote being taken on passing said Act, the objections of the Governor to the contrary notwithstanding, the same was rejected, two-thirds of the members present and voting thereon not having voted in the affirmative.

The General Court was prorogued on Saturday, May 27, the session having occupied one hundred and forty-four days.

INAUGURAL ADDRESS

OF

HIS EXCELLENCY JOHN D. LONG.

At twelve o'clock on Thursday, the fifth day of January, his Excellency the Governor, accompanied by his Honor the Lieutenant-Governor, the members of the Executive Council, and officers of the civil and military departments of the government, attended by a joint committee of the two Houses, met the Senate and House of Representatives in convention, and delivered the following

ADDRESS.

*Members of the Senate and of
the House of Representatives.*

I call your attention at once to the financial exhibit, the figures of which, as well as those relating to other interests of the State, have been, as usual, furnished by the respective departments to which they relate.

THE PUBLIC DEBT.

Amount Jan. 1, 1881	\$32,799,464 00
Paid Harbor Improvement Loan	400,000 00
	<hr/>
Amount Jan. 1, 1882	\$32,399,464 00

SINKING FUNDS.

Amount Jan. 1, 1882	\$14,285,781 64
Amount Jan. 1, 1881	13,050,192 20
	<hr/>
Increase	\$1,235,589 44

COMPARATIVE RESULTS.

	1881.	1880.
Ordinary expenses	\$1,601,501 98	\$1,594,174 89
Exceptional expenses	5,240,875 08	4,532,258 68
Totals	\$6,842,377 06	\$6,126,433 57
Deduct corporation and national bank taxes returned to cities and towns	2,243,437 51	2,038,895 69
Actual expenses	\$4,598,939 55	\$4,087,537 88

ESTIMATES.

	1882.	1881.
Payments for all purposes	\$1,670,905 00	\$1,337,912 00
Receipts, including cash on hand,	3,965,334 39	4,120,357 06
Deficit	\$705,570 61	\$217,554 94

There will be required a tax of a million dollars, and, if the appropriations exceed the estimates to the same extent as happened last year, half a million more. With our great debt, the low rate of interest at which our sinking-funds are at best invested, and the heavy burden of necessary expenditures, the most careful economy must still be exercised.

SAVING INSTITUTIONS AND COUNTY ACCOUNTS.

At $\frac{3}{4}$ per cent, the tax on deposits in savings banks, less the exemptions allowed by law, amounted in 1881 to	\$1,613,606 34
At $\frac{1}{2}$ per cent, under existing laws which partially take effect in 1882, the treasurer estimates that it would have been	1,196,238 86
At $\frac{1}{3}$ per cent, under existing laws which go into full effect in 1883, it would have been	933,722 90

It should be said that the two latter amounts include the tax collected of national banks on shares owned by savings banks, and are therefore liable to diminution.

This is a rapid decrease, which, of course, must add in the same ratio to the State tax. To increase that is to insure an early re-action upon the deposits in the savings banks as the most accessible subject of taxation.

The above results, however, are liable to variation by increase or decrease of deposits, and by changes in investments. The exemptions hereafter allowable under existing laws cannot therefore be anticipated with any certainty.

In order to save all question of the character of the tax as a franchise tax, to avoid the uncertainty of exemptions, and to simplify the whole matter, it has been suggested that the tax be made one-third of one per cent. upon the whole amount of deposits, allowing no exemptions whatever.

Some statistics of the savings banks are as follows:—

Oct. 31, 1881.		
Amount of deposits,	\$230,444,479.40;	increase, \$12,396,556.73
Number of depositors,	738,951;	increase, 32,556
Number of banks,	165;	increase, 1
Number of co-operative saving- fund and loan associations, }	18;	increase, 2

The condition of these banks and associations is generally satisfactory. In view, however, of the liabilities of shareholders in national banks to assessments of one hundred per cent. of their stock in case of loss, I indorse the recommendation of the commissioners, that savings banks be prohibited from investing more than one-quarter of their deposits in national bank stock. The Commonwealth has, of course, no power to inspect or examine national banks.

The method of keeping county accounts continues to improve. It is a suggestion worth considering, whether the House committee on County Estimates might not be made a joint committee to consider county affairs. As our counties increase in population, and their receipts and expenditures become more extensive, it would be well if they could have something of the same relation to their officials and finances which towns now have directly with theirs through town-meetings, or rather the people of the Commonwealth or of cities with theirs through representation.

HOOSAC TUNNELL AND TROY AND GREENFIELD RAILROAD.

I refer you to the manager's report for details of the business, construction, receipts, and expenditures of the Hoosac Tunnel and Troy and Greenfield Railroad during the year ending Sept. 30, 1881. The business has very largely increased, though, as has been the well-known case with all through lines, the rates have been extremely low. The construction account is \$345,584.91, and covers the completion of the central shaft, the depot at Greenfield, the settlement of various land damages, and other items under the legislation of some years ago, but more especially the sidings, yard-facilities, and double-tracking of more

than half the line, under the legislation of last year. The receipts were \$245,457.42; the operating expenses, \$183,296.41.

The policy of the road is settled for the present; and I know of no legislation required, except the necessary appropriation under the Resolve of 1881 which provides for the double-tracking of the entire line in three years. More than half this in length — twenty-four miles out of the forty-four — will, it is estimated, be completed the first year. The rest, however, is far more expensive, by reason of exceptional rock-cutting, bridges, etc.; and the cost of it is estimated by the manager at \$514,552 for the second and third years. An appropriation by you of one-half this sum will therefore be necessary, against the sum of \$324,500 appropriated last year, of which \$200,000 was for double-tracking, and the remainder for sidings, arching, etc.

I will not repeat, — because I can perhaps put it no better, — but I renew, and specially ask you to recall and consider, my suggestions of a year ago concerning the duty of the Legislature to provide a method by which the right of the Troy and Greenfield Railroad Company to redeem this property may be exercised. Justice and the honor of the Commonwealth require that this provision should be made, whether the mortgagors avail themselves of it or not. The good name of Massachusetts might suffer, were no remedy at all provided. It will not suffer, if, when a remedy is provided, the mortgagors decline to pursue it only because it secures her rights as well as theirs. Some of the considerations and limitations which should guard your legislation in this respect are also in my last year's message.

In connection herewith I have received from His Excellency the Governor of Pennsylvania a letter enclosing a petition, with exhibits, of certain citizens of that State, stockholders in the Troy and Greenfield Railroad Company, and asking my co-operation in procuring an adjustment of their demands against this Commonwealth. I herewith transmit to you the said letter and the enclosures accompanying it, together with a copy of my reply thereto.

NEW YORK AND NEW ENGLAND RAILROAD.

The control of the New York and New England Railroad has practically passed from the Commonwealth, which now owns but a small minority of the stock. Strong men have it in hand. Its prospects were never better; and, though

large expenditures must still be made to perfect it, there is reason to count on its future appreciation and ultimate great value. But, as a road which does not yet pay a dividend, it does not belong to that class of securities in which the public funds should be invested. The purpose of helping a public enterprise, for which the Commonwealth originally loaned its aid, has been accomplished; and I recommend, therefore, that authority be given to sell its stock in this road. It is, of course, abundantly able to carry its stock, now that it is up, as it did so long while it was down, and care should be taken to avoid yielding it at a figure temporarily depressed; but it certainly is not right that the Commonwealth — its hands tied by its own Legislature — should be the only stockholder that cannot sell its shares at howsoever advantageous a price, or should leave itself in a position, where, after your adjournment, no power exists in any of its departments or officials to make or even consider a good bargain. Put the power of selling in such keeping as you think wisest; secure it with every safeguard; do not let it be used to irritate the market, or injure other shareholders; but if, by improving good opportunities, the 34,750 shares belonging to the Commonwealth can at any time be sold for a price at which the stock has been already quoted, and two and a half or three millions of dollars can thereby be put into our sinking-funds, thus substantially relieving our annual interest account and tax-rate, provision should be made by you to that end.

I recommend this sale, also, upon the principle, with reference to railroads generally, of separating the Commonwealth from all railroad partnerships. Such alliances always are, or are liable to be, entangling, embarrassing to legislation and the public finances, and satisfactory to neither party. Unless Government is to assume the business of railroading, it is better to leave it altogether to private enterprise.

THE OLD STATE PRISON PROPERTY.

New and additional leases of portions of the old State Prison property in the Charlestown district of Boston have been made, and the annual receipts increased from less than \$6,000 to more than \$11,000. In addition to the land sold to the Fitchburg Railroad Company for \$49,791.50, another strip six feet wide has been sold to the Eastern Railroad Company for \$3,248. Both sums have been paid into the treasury.

THE STATE PRINTING.

The existing contract for the State printing will expire in July next. It is not drawn with sufficient clearness or care. I called the attention of the Legislature of 1880 to the differences which had persistently arisen between the Governor and Council of 1879 and the State printers as to its construction, especially as to binding, and whether "cost," at which the paper was to be furnished, should, in addition to the price paid for it, include also cartage, insurance, interest, handling, etc. That Legislature settled the matter by granting an allowance for these charges of one cent a pound. To avoid a similar necessity in the future, to leave no room for any construction which will permit excessive charges upon one item to offset losses upon another,—as the present State printers claim had been the case under former contracts, thus misleading them,—and to insure good quality and also prompt execution of the work, the new contract for which you will provide should be specific, detailed, accurate, and full in every particular. The compensation for binding should be made exact, and beyond question. Those bidding for the contract should specify each item. And I again recommend that the Commonwealth should itself buy the paper upon bids in the open market, deliverable to the State printers as may be required. This plan will be most economical, and will relieve both parties from the troublesome questions of the additional charges above referred to. I am told that the city of Boston has a contract for its printing well drawn and worth consulting.

STATE HOUSE REPAIRS.

The commissioners, charged with making the improvements in the basement of the State House authorized by the last Legislature, submitted to the Governor and Council contracts amounting to \$38,150 as substantially covering the whole work. These were approved, thus leaving \$6,850, which was reported as sufficient to meet all remaining expenses. No further contracts have been submitted for approval; but the commissioners have taken the responsibility, finding the condition of the basement worse, and the authorized improvements involving more extensive repairs than were foreseen, of incurring a liability of nearly \$17,000 in excess of the \$45,000 appropriated. For the items, the necessity, and the satisfactoriness of the

work done, I refer you to their report, made, as required by law in case of such excess, to the auditor. While they have incurred this liability in excess of the appropriation and contrary to the Resolve, yet it is just to say that the repairs were necessary, and have been thoroughly done. If on examination you shall find that any of the charges for extra work should be included in those covered by the approved contracts, they should be disallowed; but otherwise the bills should be paid. There is the compensation of hoping that by these improvements the question of a new State House, equally magnificent in proportions and in cost, has been put a third of a century further off than before.

PRISONS AND CHARITIES.

A good word can again be said for the Reformatory Prison for Women at Sherborn.

A new warden has been appointed at the State Prison at Concord; the discipline is firm, humane, and satisfactory; a creditable saving has been effected, and there is a cheering promise of continued improvement. A fresh coat of paint in the cells, and a thorough cleansing throughout, are still needed. The number of employes, and their salaries, are now fixed by law. For the sake of economy, as well as convenience, there should be some discretion in this respect given to the warden and prison commissioners, subject to maximum limitations. Such a statute was passed last year, I think, in respect to the Reformatory Prison for Women.

The law has lately been so changed as to authorize long periods of restraint for habitual criminals, especially those addicted to intemperance. Illustrating the importance of this, is a recent report from the Boston House of Industry, which shows that in four months more than sixteen hundred persons were recommitted there, hundreds of them for the second or third time, scores for the twelfth or over, and one each for the seventy-second, the seventy-first, and the seventieth time. Of a different class are the commitments to the State Prison for more serious offences. During the past year twenty-four criminals were sentenced to that institution who had been there before, some of them for the third or fourth time. The recommendation of the prison commissioners, that these criminals who make crime a profession should be sentenced to police supervision when their terms of imprisonment expire, ought to be adopted, with proper provision, of course, for

making certain the fact of their habitual or professional criminality. I am informed that this system has been successful in other countries.

Our penal and charitable institutions are scattered in place, and therefore do not enjoy the uniformity of administration and economy that might otherwise obtain. The expenses have been in some cases more than were estimated, on account of the rise in the price of supplies. It is desirable to inquire whether any better system of furnishing these can be devised.

The Reform School for Boys has been long out of joint. In my opinion the system is at fault. What should be a school has been a sort of house of correction. It should be restored to a school, — a well-disciplined and reforming school. Fix the maximum age for entrance at fourteen years, and have no boy remain there longer than is usual in other schools, which is three or four years. He should then come away exactly as from any other graduation. If his stay has reformed him, he is so much better fitted, like other graduates, to enter the world. If it has not reformed him, it is sufficient evidence that he is not in the right place. He may afterward do mischief; but, if so, he becomes liable, like all other citizens, to the punishments which follow crime. Besides, a three or four years' commitment is a severe sentence for an adult offender. In justice even to a bad boy, why should he, for truancy or boyish mischief, be sent to a reformatory for a longer term than that for which a professional robber or house-breaker is oftentimes sent to the State Prison? Remember, too, that many a lad goes to the reform school, not so much from fault on his own part as the inability or incapacity of parents or guardians to keep him usefully employed and out of idleness. Superintendents and trustees alike testify that boys who are kept in the reform school year after year, for six, eight, ten, or twelve years, till nearly or quite of legal age, and kept there because too bad to be discharged or bound out to labor, are not, on the one hand, benefited by staying, and, on the other, only disseminate the worst evils among their younger associates. Make this, therefore, a school with good wholesome discipline, instruction in manual labor, and out-of-door work on the farm. Discard the prison-bars, abandon the cells, and have a home. Let the trustees still have the power of discharge. If during the three or four years' course a boy is utterly incorrigible, let there be an alternative sentence or power in the trustees to transfer him to the house of

correction for the remainder of his term. If, on the other hand, he improves, and a place can be found for him in useful labor elsewhere, let him have the opportunity. It is well recognized that the main object of such public institutions is to be but a probation, where those who come shall remain only till they can find occupation in the regular channels of life; and the sooner they are in them the better. An institutionized boy or man is not a valuable contribution to society.

The number of inmates at the Reform School, reported last week at only one hundred and seventeen, is so small that it should be transferred from Westborough, thus leaving the fine farm and the buildings there for some other use. It is suggested that it should be transferred to the land and buildings at Lancaster, which would well accommodate it, but which are now appropriated to the Industrial School for Girls. There were forty-six girls in this institution a week ago, their number also having greatly decreased, and no longer justifying so large a per capita expense for their maintenance. I am not prepared to advise where to transfer these girls, — whether to Sherborn, or Monson, or elsewhere. Their number can perhaps be still further reduced by continuance of the judicious binding-out now practised; and there is reason to believe that some of them who have given the least evidence of reformation might be placed in the Reformatory Prison for Women. As a locus for the rest, Monson does not strike me favorably. Of Sherborn it is to be said that the reformatory institution now there is exclusively for females; that so far as the economies of food, fuel, clothing, guards, labor, etc., are concerned, it could furnish them to a great extent with its present facilities; and that without putting the industrial school within its walls, and so in any way mingling the two classes of inmates, it might be placed in the immediate vicinity, and made a more accessible agency for transfer to homes.

With regard to the insane I can only repeat the views I expressed a year ago. Their number increases, and the elimination of Westborough or Lancaster would afford them added accommodation if needed. I again commend provision for the criminal insane in a separate institution thus relieving the innocent from the reproach and danger of criminal association. The increase of the insane is estimated at two hundred a year. At this rate new accommodations, in addition even to Westborough, will soon be necessary, though not during your term of service; and

some general plan should be kept under consideration, looking always toward more definite classification. The criminal insane separately provided for, the next new hospital might well be devoted to curable cases, which are not a large percentage of the whole number.

On the whole, as to our public institutions for the insane, the poor, and the convict, their administration is an evidence of the advancing humanity and intelligence of the age. Those in charge are generally faithful, and devoted to their duty, and alive to improvements in methods and economy in maintenance. Hardly anywhere more than in these institutions, whether for charity or for correction, is recognized the public demand that the citizen, however humble, or poor, or offending, shall have the rights and treatment to which he is entitled. That this fact, so creditable alike to the Commonwealth and these her institutions, may be more and more characteristic of them, I cordially approve the application to them of every means of thorough and intelligent inspection. Any other would only work harm.

It has happened, I am informed, that insane persons escaping into Massachusetts from an insane-asylum in another State have been arrested and returned without process of law or hearing. In the absence of a statute to regulate such proceedings, one should be enacted as a safeguard to personal liberty.

EDUCATION.

The cause of education is always in danger of suffering from our very familiarity with its presentation. Education is not a mere fine word. It means the equipping of youth with intelligence and the means of livelihood. It means safeguards against poverty, crime, and barbarism. It recognizes the value of every human soul. It is the glory of a democracy.

The Board of Education are doing good work in its behalf. They are awakening public interest by numerous institutes and teachers' meetings. I trust you will co-operate with them. At least two more agents should be authorized to aid in arousing and helping our towns, especially those in which the support of the public school is a heavy tax, to give a good New-England education to their boys and girls. There are some places where there has been a falling-off in this respect.

In this connection, too, I renew my suggestion that pro-

vision be made as fast as possible for bringing all our public schools under intelligent and advanced supervision, — not supervision in the sense of that control which our towns will never part with, but in the sense of the contact and encouragement, which, either in each town by itself or in a cluster of towns contributing together, would come from the services of a competent and inspiring man.

With the danger always of an increase of idler hands as well as of higher education, there is a growing interest felt in industrial schools. It would certainly be fortunate if the influence of such institutions as the Institute of Technology and the Free Industrial Institute could be extended to the common schools, and the educated faculties of the child be directed toward those industrial arts to which he must look for a livelihood.

It is claimed that what remains of the school-district system should be abolished:

Also that each city and town should have power to fix the term of service of its teachers. This would give stability, and, with power of removal, could work no harm.

AGRICULTURE.

It has been a good year for the farmers. Their interest is one which deserves to be fostered by the Commonwealth. Their demands are modest. One of them, which I cordially recommend, is for an experimental station for practically testing the application of advanced scientific methods to agriculture.

Perhaps some plan can be devised whereby our county societies shall get more benefit than at present from the bounties given them by the Commonwealth. Without much knowledge on the subject, I suggest that in some counties there are too many societies, and that the Essex plan of one society, perambulating from one town one year, to another the next, and therefore always novel and welcome and representative, seems to be the most successful.

A farmer, prepared and able to defend his flocks, tells me that last year he sold thirty lambs for three hundred dollars. This ought to mean a better cash revenue for our farmers, the restoration of abandoned farms and farm-houses on our hillsides, and increased taxable property for our agricultural towns. Dogs forbid. The same farmer's townsman, a poor man, invested his small savings in sheep, only to find part of them killed by dogs, and the rest made

worthless by fright, and then was obliged to wait a year for only partial compensation. Having nothing but the law to rely upon, he was forced to abandon sheep-raising. The present dog-law is next to good for nothing. It does not save sheep from the ravages of dogs, and it compels the county to assume and pay — too late — the damages which should be paid by their owners. If you can remedy this evil, you will make sheep-raising in Massachusetts a profitable and large interest, beneficial in more than one direction.

The Agricultural College is in good condition. It is suggested that a portion of its land might well be sold. To increase the number of its scholars, and bring an interest in it home to all parts of the Commonwealth, it has occurred to me that each agricultural society receiving the usual bounty of six hundred dollars from the public treasury should appropriate a small part of it — less than a hundred dollars — toward maintaining at the college a scholar from its own limits. As a matter of economy, some of the buildings should be repaired.

RAILROADS.

I earnestly repeat my conviction that a law which permits private property to be taken for a railroad without the owner's consent, and without the decision first made by some impartial tribunal that such taking is a public necessity, is contrary to the constitution and to justice. It should be amended at once, unless you hold that there are no private rights left which a corporation is bound to respect.

It is generally held in this country that common carriers, including railroad companies, are bound to render to all persons equal service upon equal terms, and that contracts giving to one person lower terms than are given to another for the same service ought not to be permitted on the part of corporations which enjoy their great powers only on the ground of their public usefulness. If the law of Massachusetts differs in this respect from that of other States, as I understand is the decision of our courts, it ought to be amended.

Both in justice to railroad employes and for the safety of travellers, it should be provided that the examination for color-blindness and other defective sight, required by the Act of last year, be made by persons whose competency is beyond question. The statute is too loose in this particular.

HARBORS AND PUBLIC LANDS.

The reclamation of the Commonwealth flats at South Boston is in good progress. About 135 acres will be available for occupancy as soon as piers can be built.

No settlement under the Resolve of last year has yet been made of the claim against the Boston and Albany Railroad. The attorney-general, however, anticipates its settlement without a trial in court.

INSURANCE.

In relation to assessment or co-operative insurance, which is now extensively transacted by a large and increasing class of organizations known as educational, religious, charitable, and benefit. I am advised that, in the interest of honest management and public safety, some additional legislative safeguards are necessary, especially in view of recent abuses in other States.

The entire Massachusetts insurance for the last five years is \$3,760,583,892, the premiums amounting to \$67,601,667. Of this business, which is about one-ninth of that transacted in the other States, the Massachusetts companies transacted nearly one-third, foreign companies receiving over \$41,000,000 in premiums.

THE MILITIA.

The organization of the militia remains the same. The expenses for 1881 amount to some \$132,500, against \$135,125 for 1880.

I believe there were never better encampments of militia, in every respect, than those of the troops in this Commonwealth during the past year.

The spring training-day should be restored as the time for the detailed inspection.

Gen. Schaff, of my staff, has submitted to me an important paper upon the necessity of a regiment of heavy artillery. For interior service our troops are well prepared; but the whole seaboard of the country is almost defenceless against the gunboats of foreign nations, which could put them into our ports at ten days' notice. The entire regular artillery force of the United States is not enough to garrison the forts of New-York harbor. There is not a heavy artillery regiment in the militia of any State. Let Massachusetts set the example of one. It was at first sug-

gested that a new regiment be formed; but this you would not authorize on account of the cost. It would be better to make one of our existing regiments a heavy artillery regiment. It would add little to the military expenses. It would introduce a novel, instructive, and protective feature. It would train our soldiers in the use of heavy ordnance and in the manning of forts. Cannon and equipments would be needed, and also a barbette battery at the camp-ground at Framingham. It is Gen. Schaff's opinion that the national government, in view of the value to the whole country of such a regiment, both in itself and as an example to other States, would be induced to furnish cannon and other equipments, and to aid in erecting such a battery, and would permit our companies occasional practice in the forts in Boston harbor. I shall be happy to put Gen. Schaff's communication in the hands of your Committee on Military Affairs.

The interesting report of the surgeon-general is commended to your attention.

NEW APPORTIONMENT OF CONGRESSIONAL DISTRICTS.

It will be your duty to make a new apportionment of the Commonwealth into congressional districts. I call your attention to Gov. Andrew's message upon the unconstitutionality of requiring a congressional district to elect one of its own inhabitants as its representative.

LIQUOR LEGISLATION.

With continued observation of the crime, insanity, and pauperism caused by intemperance, filling our public institutions, and making heavy the burden of taxation, my sympathies are still more with that great body of men and women throughout the Commonwealth, who, having its best interests at heart, believe that the remedy of the evil must sooner or later be found in the line of its substantial prohibition, or, till then, in the sharpest restriction of it possible, and who cannot reconcile themselves to giving it the sanction of the State. A healthier sentiment and practice in this matter continue to grow among good citizens, however much they differ as to remedial measures. They agree that the dram-shop must be rooted out, alike in the interest of good morals and the material welfare of the people; and public opinion is ripe for the enforcement of laws for its suppression. That they are not enforced is

itself a vice and a shame. If the advocates of the license system would put the vigor which they now exert in securing its adoption and maintenance into the enforcement of its restrictions and penalties, they would make a better and more consistent case. Other special laws, such as the labor, the revenue, and the school laws, are enforced; and while the State has no special detail for enforcing the license law, as there is for enforcing those laws which I have just enumerated, and while I would not re-instate the unsatisfactory constabulary of a few years ago, I renew my suggestion, which is stated at length in my message of last year, that the chief of the present State district police have authority to draft from the police officers of cities and the constables of towns any number of men, not exceeding a certain limit at any one period, for special duty. Unless this or some other means is provided, there is nothing left but a metropolitan police for the Commonwealth, which met the commendation of Gov. Andrew, and which would make all our police the creation of the State. This would be in accord with the original spirit of our constitution, by which sheriffs were the appointees of the Executive of the Commonwealth. Since the constitutional change, by which these are now elected by the people rather than appointed by the Governor, he has no executive civil force except the State district police, numbering sixteen men, most of whom—some by law—are assigned to special work.

WOMAN SUFFRAGE.

I repeat my conviction of the right of woman suffrage. If the Commonwealth is not ready to give it in full by a constitutional amendment, I approve of testing it in municipal elections.

The recent judicial decision that women cannot practise as attorneys-at-law has also raised the question whether they can serve, as some are now most usefully serving, upon public statutory boards, except where expressly so provided by law. The decision necessitates legislation.

EXECUTIVE COUNCIL AND HEADS OF DEPARTMENTS.

I still am convinced of the advantage and economy of an executive council, composed of the elective heads of departments rather than as now constituted, and of giving them seats in the Legislature, with no vote, but with the right to speak upon questions affecting their departments.

THE COURTS.

The removal of all actions of tort from the Supreme Judicial Court is already relieving it. If further relief is necessary to expedite its business, causes of divorce, marriage, and alimony, and some title in equity like that of partnership or mortgages, could also be transferred to the superior court. I certainly would not advise an increase of the number of judges. In that respect there is no lack.

We have also a good system of inferior courts, with many able judges, the jurisdiction of which could be increased.

It is for you to consider whether the system of district courts, which is more likely than that of numerous trial justices to secure judicial strength, and also, it is claimed, to lessen expenses and petty litigation, and which works successfully in many parts of the Commonwealth, should not be extended further.

CAPITAL PUNISHMENT.

I renew my protest against the barbarism, inefficiency, and peril to innocence, of capital punishment. Failing its abolition, I earnestly urge you to leave to the jury—the best and safest of tribunals—the question of its infliction. This will make conviction surer, will meet more fully the circumstances of each case, and while still preserving the terror of the death-penalty, if there be any virtue in that, will be more in harmony with the humane spirit of the age. The pretence of insanity will not then succeed, as it now too often does. Should you abolish the death-penalty, you might substitute for it the severest form of imprisonment. Let me remind you, quoting the substance of another's summarization, first, that the present uncertainty of the death-verdict lessens the deterrence of the death-penalty; second, that, with its abolition for smaller offences, their number, in proportion to the increase of population and the facilities for their commission, has diminished; and, third, that in civilized communities, where it has been totally abolished, murders have not become more frequent. Rhode Island is an instance. Statistics show also that the pardoning power is not abused in relation to sentences for murder in the first degree when commuted from death to imprisonment for life.

ELECTION RETURNS.

Legislation is still needed, as I last year suggested at length, to prevent the errors which occur in election returns.

STATISTICS OF DIVORCE.

Provision should be made for incorporating the statistics of divorce with those of marriage in the annual registration report.

LAND FOR THE UNITED STATES FISH COMMISSION.

I recommend in the public interest that provision be made for ceding land to the United States for a station for its fish commission.

GENERAL LAWS.

It is a suggestion derived from the experience of the commissioners who have just revised the Public Statutes that there should be a permanent officer—perhaps the assistant attorney-general—to edit the general laws of each session, and also to prepare from year to year, and keep on hand in manuscript, for the use of the Legislature, just such a consolidation of the general laws, with marginal notes and other details, as is now, at great cost and delay, made at long intervals. The special knowledge of such an officer would be of much value in preventing redundant or inconsistent legislation, and in securing a clear, concise, and uniform style in the drafting of statutes. But his best service would be, that when, fifteen or twenty years hence, it shall become desirable to print and publish a revision of the statutes, that work will be already done, and can be submitted at the beginning of any year for consideration or adoption by the Legislature in its regular session; thus, perhaps, avoiding the great expense of an extra session, as well as that of a special revision by special commissioners.

My experience convinces me that a great deal of the special legislation now granted as a matter of course can be saved by general laws. Let us have a general law,—

For supplying municipalities with pure water;

For city charters;

For the payment of damages for the public use of private property;

For changing the names of corporations and societies;

For ratifying the doings of civil officers who have omitted to take the qualifying oaths ;

And for such other cases as your experience and the perusal of the Blue Book will suggest to you.

PILOTS.

There should be, too, a general law concerning pilots and pilotage. There is no uniformity in the present statutes, one port having one system, and the next another.

FORESTS.

In view of the interest awakened in the Middlesex Fells and other natural parks, which cannot too soon be secured from destruction, I recommend a general act for the preservation and reproduction of forests.

REVISION OF THE GENERAL STATUTES.

Provision should be made for the sale of type, which, under the authority of the last Legislature, was bought for printing the revision of the Public Statutes. It is now in the hands of the State printers.

Senators and Representatives.

Intrusted with the people's money, we have no right to appropriate a dollar of it except for their necessities : let us apply that test to every expenditure. At great cost and with great care the Public Statutes have just been revised : let us be brief. The moral sentiment of the community was never more exacting : let us respect it.

Confident of your fidelity to the public interest in these and all other directions, I tender to you, the two branches of the Legislature of Massachusetts, the cordial co-operation of her Executive in hearing the causes and making the laws of her people.

SPECIAL MESSAGES.

THE FOLLOWING SPECIAL COMMUNICATIONS WERE MADE BY HIS
EXCELLENCY THE GOVERNOR TO THE LEGISLATURE
DURING THE ANNUAL SESSION.

[To the Senate and House of Representatives, Jan. 9.]

I have the honor herewith to present, in compliance with chapter 50 of the Resolves of 1860, a report of the pardons issued by the Governor and Council during the year of my administration just passed. The number of convicts thus discharged is forty-eight, of whom sixteen were in the State Prison, one in the Reformatory Prison for Women, twenty-nine in houses of correction, one in jail, and one in the House of Industry. Fatal or extremely dangerous sickness was the controlling reason for pardon in fifteen cases, and information has been received of the death of eight of the persons so pardoned.

With two exceptions, every pardon granted contained the condition that if the person to whom it was issued should, before the expiration of his sentence, be convicted of any crime punishable by imprisonment, he should be held to serve out the remainder thereof.

NO. 1. CLARENCE A. ROBERTS. Convicted, October, 1880, Superior Court, Middlesex County, of fornication, and imprisoned for non-payment of fine of thirty dollars and costs. Discharged, rather than pardoned, Jan. 26, 1881, at request of the sheriff, it appearing that the convict had served the three months required by law, and would have been entitled to his discharge but for the failure of the clerk of courts to issue the mittimus at the proper time.

NO. 2. ELBRIDGE G. SMITH. Convicted, August, 1879, Superior Court, Franklin County, of breaking and entering, and sentenced to House of Correction for two years and a half. Pardoned Feb. 2, 1881, at the request of the district-attorney and unanimous recommendation of the grand jury, because he saved the life of the turnkey when the latter was attacked by a desperate convict.

NO. 3. ORLANDO C. BROWN. Convicted, October, 1871, Superior Court, Suffolk County, of a forgery involving only forty dollars, and yet sentenced to the State Prison for sixteen years. He was conditionally pardoned in August, 1875, on the ground that his sentence was excessive, and he had been punished enough. Afterwards, while intoxicated, he committed another offence for which he was committed, thus breaking the conditions of his pardon. When, therefore, the second sentence expired in November last, the warden detained him, and has since detained him, upon the original sixteen years' sentence. He is now discharged (Feb. 2, 1881), because if his original pardon was just, as it seems to have been, on the ground of excessive sentence and already sufficient punishment for his offence, no good reason now exists for punishing him further, except so far as he deserves punishment for breaking the conditions of his original pardon. And as for this, especially as the second offence was not a very grave one, his imprisonment since last November seems to be enough.

NO. 4. WILLIAM M. LADD. Sentenced, Superior Court, Essex County, May 25, 1880, for breaking and entering, to House of Correction for two years. Pardoned March 16, 1881, on report of the physician, it appearing that the convict's physical condition was such as to require an early surgical operation, which was likely to endanger his life if performed in prison. Ladd was also a pensioned soldier. His record was reported very good, and there were extenuating circumstances. Died Nov. 15, 1881.

NO. 5. ALEXANDER NICHOLS. Sentenced, July term, 1878, Superior Court, Suffolk County, for larceny, to State Prison for four years. Pardoned March 30, 1881, on certificate of prison physician, on account of a suppurative abscess on the spine, and the hoplessness of recovery in prison. He died in the Massachusetts General Hospital.

NO. 6. JOHN FOX. Sentenced, Superior Court, Suffolk County, Dec. 6, 1879, for breaking and entering, to State Prison for four years. Fox was in last stages of consumption. Pardoned March 30, 1881, on certificate of prison physician. He died a few days after.

NO. 7. MICHAEL KEENAN, *alias* CARROLL. Sentenced, Superior Court, Worcester County, Jan. 31, 1878, for breaking and entering, to State Prison for six years, upon two indictments of three years each. Pardoned, March 30, 1881, on certificate of prison physician, on account of an incurable abscess of the brain.

NO. 8. NICOLO LEVERONE. Sentenced, Superior Court,

Middlesex County, Nov. 9, 1880, for larceny, to House of Correction for one year. Pardoned March 31, 1881, on recommendation of sheriff and district-attorney. Leverone was a young Italian boy, and charitable parties agreed to take him out of the State, and place him in a reformatory institution.

NO. 9. MARTHA WOOLFORD. Sentenced, Superior Court, Norfolk County, Dec. 13, 1878, for receiving stolen goods, to House of Correction for four years. Pardoned April 6, 1881, on recommendation of commissioners of prisons, the convict being of advanced age and in failing health, and her friends taking her into their care.

NO. 10. EDWARD DONOVAN. Sentenced, Superior Court, Suffolk County, Jan. 24, 1879, for manslaughter, to State Prison for ten years. Pardoned April 6, 1881, on recommendation of warden, and on certificate of prison physician that Donovan is in an advanced stage of consumption, and liable to speedy death. He died in June.

NO. 11. PATRICK M. CARTY. Sentenced, Superior Court, Suffolk County, January term, 1879, for breaking and entering, to House of Correction for three years. Pardoned April 30, 1881, on certificate of the prison physician that he had dropsy of the abdomen and consumption, and could live but a short time. Pardoned, that his relatives might take him home to die. He died in October.

NO. 12. ORSON MORTON. Sentenced, Superior Court, Franklin County, March 29, 1880, of breaking and entering, and stealing, to House of Correction for two years. Pardoned May 4, 1881. Morton has served considerably more than half his term. The district-attorney reports that there is a question in regard to his guilt. His wife has become insane since his imprisonment, and is unable to provide for his children, who are left entirely destitute. The pardon was asked by the selectmen and a large number of citizens of Whately and Deerfield.

NOS. 13 and 14. RICHARD RAYNER and FREDERIC BESNOR. Sentenced, Superior Court, Suffolk County, March term, 1880, for larceny in a building, to State Prison, — Rayner for four years, and Besnor for three years and a half. Pardoned April 4, 1881, on report of the district-attorney, the sentence being an illegal one. The court had no power to sentence for more than one year, which has now more than expired. It was agreed that no remedy existed, except through executive interference.

NO. 15. MARGARET BEAN, *alias* SANNK. Sentenced,

Municipal Court, Dorchester district, March 4, 1881, for breaking glass, to House of Industry for three months. Pardoned May 4, 1881, on certificate of the prison physician, she being in the last stages of consumption.

No. 16. CORNELIUS McDONALD. Sentenced, Feb. 6, 1880, Superior Court, Essex County, for breaking and entering, to three years in State Prison. Pardoned May 5, 1881, on certificate of the prison physician, he being in the last stages of consumption.

No. 17. HENRY R. SIBLEY. Sentenced, Superior Court, Suffolk County, Nov. 20, 1877, for forgery, to four years in State Prison. Pardoned May 7, 1881. The term of imprisonment, with the deduction allowed by law for good behavior, would have expired July 11, 1881. The convict's wife was reported by eminent physicians incurably sick with a tumor, being utterly destitute, and confined to her bed, and in want of proper attendance. The few remaining weeks of the sentence were stricken off, Col. Sibley having also been a brave and devoted soldier, and clemency in his behalf being asked by citizens of all classes, and advised by those, too, who had suffered from his wrong doing.

No. 18. CHARLES BOOMAS. Sentenced, Nov. 25, 1880, Municipal Court, Boston, for larceny, to one year in House of Correction. Pardoned May 11, 1881, on certificate of the prison physician, the prisoner being in the last stages of consumption. He died in July.

No. 19. THOMAS NORTON. Sentenced, Superior Court, Middlesex County, July 19, 1875, for breaking and entering, to eight years in State Prison. Pardoned May 12, 1881, having, with deduction for good behavior, less than a year to serve, on certificate of warden that, by Norton's fidelity and aid, the escape of some desperate convicts was prevented, and an officer's life probably saved.

No. 20. WILLIE A. RICE. Sentenced, Superior Court, Hampden County, May 22, 1880, for perjury, to two years in House of Correction. Pardoned May 19, 1881, at the request of the leading citizens of Monson, where the case occurred, and with the advice of the district-attorney, the prisoner being a lad of weak mind, and used as a tool by others who were more at fault. He had served a full year.

No. 21. EARL C. SMITH. Sentenced, Superior Court, Norfolk County, April 11, 1881, for assault, to three months in House of Correction. Pardoned March 26, 1881, on recommendation of the district-attorney that the sentence was excessive, and made under error of the facts.

NO. 22. WILLIAM H. CARBERRY. Sentenced, Superior Court, Middlesex County, Nov. 5, 1879, for perjury, to three years in House of Correction. Pardoned May 31, 1881, at request of leading citizens of Hopkinton, and the concurrence of the district-attorney, the prisoner being evidently ignorant and a dupe, and the punishment excessive.

NO. 23. THOMAS CALLANAN, *alias* EDWARD CLARK. Sentenced, Superior Court, Norfolk County, Sept. 24, 1880, for breaking and entering, to eighteen months in House of Correction. Pardoned May 31, 1881. His term was eighteen months. He had no counsel at trial, and was evidently sentenced through his blunder in pleading guilty to a greater crime than the one committed. This appeared from the fact that his confederate, a greater criminal, tried afterwards for the same offence, was convicted of only simple larceny, and paid a small fine. The district-attorney concurred.

NO. 24. THOMAS ROACH. Sentenced, Superior Court, Middlesex County, Nov. 1, 1878, for rape, to State Prison for fourteen years. Pardoned June 3, 1881. The committee recommended a pardon be granted, after a most thorough hearing by the Committee on Pardons, upon the impeachment, to their entire satisfaction, of the principal witness, and on their conviction that the offence was not committed as charged. The selectmen and citizens of Woburn generally were urgent in requesting a pardon.

NO. 25. CORNELIUS SULLIVAN. Sentenced by Trial-Justice M. Perry Sargent, Merrimac, Essex County, Jan. 10, 1881, for being a tramp, to the House of Correction for six months. Pardoned June 4, 1881, on recommendation of the court which sentenced him. The justice reported that he was compelled by law to impose a sentence of six months, but, if he could have done so, would have made the term only sixty days, and therefore earnestly recommends a pardon, five months having already expired.

NO. 26. CHARLES BOUTWELL. Sentenced, Nov. 11, 1880, Superior Court, Middlesex County, for forgery, to three years in House of Correction. Pardoned June 8, 1881, on recommendation of the district-attorney that the sentence was excessive.

NO. 27. DORA DIXON. Sentenced, Police Court, Lawrence, Essex County, Sept. 3, 1880, for vagrancy, to Reformatory Prison for one year. Pardoned June 8, 1881, on report of the commissioners of lunacy that the convict is insane. The prison commissioners and Col.

Wrightington, superintendent of out-door poor, recommended that she be pardoned, so that she might be transferred to the lunacy department at Tewksbury.

NO. 28. WILLIAM GALLAGHER. Sentenced, Superior Court, Suffolk County, Dec. 2, 1878, for larceny, to three years in State Prison. Pardoned June 25, 1881, on certificate of prison physician, he being in the last stages of consumption. He died two days later.

NO. 29. SOPHRONIA, *alias* VERONIKA ASSING. Sentenced, Superior Court, Berkshire County, Jan. 11, 1881, for adultery, to House of Correction for one year. Pardoned July 1, 1881, on the urgent recommendation of the district judge, the sheriff, and the district-attorney, who reported that the woman, being of weak mind, had been deceived by her husband into believing that his separation from her was a divorce. She then married in good faith, and for this was arrested. At the time of her pardon she was very near giving birth to a child, and her pardon was granted for that reason.

NO. 30. ALLEN W. GUILD. Sentenced, Superior Court, Middlesex County, June 30, 1879, for polygamy, to House of Correction for three years. Pardoned July 2, 1881. The committee were satisfied that the defendant's second marriage was in good faith and in ignorance of the law, and that, having been in prison two years, further imprisonment would be excessive. Defendant had no counsel at the trial, and the district-attorney who tried the case reported favorably.

NO. 31. FRANCES L. STONE. Sentenced, Superior Court, Essex County, Oct. 24, 1879, for committing abortion, to five years in House of Correction. Pardoned July 13, 1881, on certificate of the physician of the House of Correction that the prisoner could live but a short time. A member of the council made a personal visit to her, and she was pardoned that she might die at home.

NO. 32. FRANK BARNEY. Sentenced, Superior Court, Essex County, Oct. 13, 1879, for assault, to two years in House of Correction. Pardoned July 13, 1881, on certificate of the physician of the House of Correction that Barney could live but a few days. A member of the council made a personal visit to him, and he was pardoned that he might die at home. He died the next month.

NO. 33. MARY F. MAYO. Sentenced, June 16, 1880, Superior Court, Middlesex County, for larceny, to House of Correction for eighteen months. Pardoned June 13, 1881, on special request of prison commissioners, and cer-

tificate of physician of the House of Correction that convict could live but a short time.

NO. 34. SAMUEL A. THAYER. Sentenced, Nov. 13, 1877, Superior Court, Middlesex County, for forgery, to State Prison for seven years. Pardoned July 30, 1881. Thayer, after forging his father's name, fled to California. He voluntarily came back and gave himself up, and pleaded guilty. He had served more than half his sentence, which, as was reported by the assistant district-attorney, was much longer than usual in such cases. Inasmuch, therefore, as all the parties who were defrauded joined earnestly in the prayer for his pardon, it was granted.

NO. 35. JOHN DONAHOE. Sentenced, July, 1872, Superior Court, Suffolk County, for rape, to fifteen years in State Prison. Pardoned Dec. 12, 1876. Forfeited his conditional pardon, and re-committed to State Prison. Oct. 26, 1880. Pardoned Aug. 17, 1881. He was conditionally pardoned upon the same sentence Dec. 12, 1876, on the recommendation of the district-attorney, and on new evidence which showed he was not guilty of the crime of rape. After this pardon he was convicted, in 1878, of larceny, and sentenced to two years' imprisonment, which expired in 1880. This constituting a breach of the condition of said pardon, he has since said last date been confined in the State Prison. A pardon is now granted him solely because, if the Governor and Council of 1876 were satisfied that Donahoe was not guilty of the crime charged, even a breach of the conditions of the pardon they granted does not justify the present Executive in punishing him for that of which a former tribunal has found him not guilty.

NO. 36. JULIA KELLY. Sentenced, Feb. 9, 1881, Municipal Court, Boston, for larceny, to fifteen months in House of Correction. Pardoned Sept. 13, 1881, the convict having been transferred as an epileptic insane to the Taunton Insane Asylum. This was done at recommendation of Col. Wrightington, superintendent of indoor poor; a sister of the convict in New York taking her home, and relieving the State of her support.

NO. 37. ORRIN D. HINCKLEY. Sentenced, July 18, 1876, Superior Court, Middlesex County, for arson, to six years in State Prison. He was very young at the time, and led away by bad company. Pardoned Sept. 13, 1881, on the ground that he furnished important information to the government, there being only five months of the sentence left, and the district-attorney concurring.

NO. 38. ROBERT ARNOLD. Sentenced, December term, 1879, Superior Court, Suffolk County, for breaking and entering, to three years in House of Correction. Pardoned Sept. 13, 1881; the convict being a boy of sixteen, who was enticed by others, and whose reformation seemed to demand that, having served one-half his time, he should be let out to enter employment the same as if he had been at the Reform School.

NO. 39. LOUIS VINCENT. Sentenced, April 22, 1881, Police Court, Lowell, for larceny, to six months in House of Correction. Pardoned Sept. 20, 1881. A petty case of theft. Judge Crosby, who imposed the sentence, reported that, on further investigation of the facts, he recommended the Executive to grant a pardon.

NO. 40. WILLIAM R. BARROWS. Sentenced, June, 1881, Superior Court, Hampden County, for simple assault, to six months in House of Correction. Pardoned Sept. 30, 1881, on recommendation of the district-attorney, sheriff, jailer, and physician of the House of Correction. The prisoner also was in poor health, and there were strong grounds for the belief that he was innocent of the crime charged.

NO. 41. HIRAM MINGO. Sentenced, June 16, 1881, Superior Court, Middlesex County, for adultery, to ten months in Lowell jail. Pardoned Oct. 11, 1881, on the recommendation of the jailer, and the express and urgent request of the physician of the jail; the convict having a severe disease of the eyes, which had already destroyed the sight of one, and threatened the destruction of the other. The pardon was granted with the full concurrence of the district-attorney.

NO. 42. CHARLES H. GOLDER, *alias* WILLIAM H. PLACE. Sentenced, May 25, 1866, Superior Court, Essex County, for larceny and felonious assault (three indictments), to seventeen years in State Prison. Pardoned Oct. 12, 1881. Golder was serving three continuous sentences of three, two, and twelve years,—in all, seventeen. He has grown old and broken in prison, and his whole term, with the usual allowances for good behavior, would have expired a year ago last July, were it not that when first imprisoned he escaped and was re-captured, and has since that date been serving out the time of his absence. The escape was made under very great and almost irresistible temptation, he having been very carelessly allowed outside the prison walls soon after his commitment. In other respects his behavior has been good. Indeed, one

reason for granting the pardon is the doubt as to when his term really expires, all agreeing that, at longest, that time is very near.

NO. 43. WEBSTER ACKERS. Sentenced, June 21, 1880, Superior Court, Middlesex County, for breaking and entering, to two years in House of Correction. Pardoned Nov. 9, 1881, on the certificate of the well-known firm of J. H. and J. P. Thayer & Co. of Cambridge, for whom Ackers worked, and upon whom the alleged offence was committed, that they have become convinced, since the trial, that he was innocent.

NO. 44. JOHN RICHARDSON, *alias* FRED WEBSTER. Sentenced, Oct. 27, 1880, Superior Court, Worcester County, for larceny (two indictments), to two years in House of Correction. Pardoned Nov. 11, 1881, for the reason that, being convicted on two indictments, he has served out the sentence on one; and on the other it was clearly proved that the goods claimed to be stolen were his own, and that the witness (Bond) on whose testimony the conviction was obtained is a bad character himself, and now serving a term of imprisonment.

NO. 45. JAMES SMITH. Sentenced, June 17, 1881, Superior Court, Middlesex County, for breaking and entering, to three years in House of Correction. Pardoned Nov. 19, 1881, on recommendation of master of House of Correction, and the prison physician, on the ground that Smith was in the very last stages of consumption, and could live but a few days.

NO. 46. ANN MCQUILLIAN. Sentenced, Sept. 9, 1881, Police Court, Somerville, for disturbing the peace, to ninety days in House of Correction. Pardoned Nov. 21, 1881, on the personal application of the chief of police of Somerville, Mrs. Johnson of the Prison Commissioners, and the city physician of Somerville; the woman having three small children, all dangerously sick with typhoid-fever, with no one to take care of them except an aged and infirm grandmother, and the doctor certifying that the neighbors would not think of entering the house on account of the fever.

NO. 47. LAOMI G. DAVIS. Sentenced, November term, 1880, Superior Court, Suffolk County, for breaking and entering, to eighteen months in House of Correction. Pardoned Nov. 30, 1881, on recommendation of the mayor, city marshal, Senator Hall, and many prominent citizens of Lynn, on the ground of excessive sentence.

NO. 48. WILLIAM JACKSON. Sentenced, March 8,

1881, Superior Court, Middlesex County, for assault, to eighteen months in House of Correction. Pardoned Dec. 14, 1881, on recommendation of district-attorney, and physician of House of Correction, on account of mortal illness.

[To the Senate and House of Representatives, Jan. 18.]

It is my sorrowful duty to announce to the Legislature the death, yesterday afternoon at Worcester, of Ex-Gov. Alexander Hamilton Bullock, and to recommend that measures be taken to pay fitting tribute to the memory of this eloquent scholar and honored citizen, who for three years discharged with distinguished ability the office of chief magistrate of the Commonwealth.

[To the House of Representatives, Jan. 28.]

I have the honor herewith to transmit, for the information and use of the General Court, the nineteenth annual report of the trustees of the Massachusetts Agricultural College.

[To the Senate, Feb. 10.]

I have the honor herewith to present, in accordance with the request of the General Assembly of the Commonwealth of Virginia, joint resolutions of that body relative to Federal legislation in aid of the establishment and temporary support of common schools.

[To the Senate, March 20.]

I have the honor to transmit herewith, for the use of the General Court, the annual report of the commissioner for the Mystic River Corporation.

[To the Senate and House of Representatives, April 24.]

I transmit herewith a communication this day received from Edward Atkinson, treasurer of the Shaw Monument Fund, asking for authority to place an equestrian alto-relief, in bronze, of Col. Robert G. Shaw, upon the State House grounds. It is with great pleasure that I communicate this generous proposal to add to the memorials now within these grounds a work of art commemorative of the patriotism of the young men of the Commonwealth. I take the liberty to suggest that the sergeant-at-arms be authorized to make provision for putting it in place.

[To the Senate and House of Representatives, May 12.]

I have the honor herewith to transmit, for your information and use, the report of Professor N. H. Egleston of Williamstown, Mass., a commissioner designated by me, under a joint resolution of your honorable bodies passed at the present session, to represent this Commonwealth at the National Forestry Convention held at Cincinnati, O., April 25-29, 1882.

[To the Senate, May 16.]

I herewith return to the Senate, in which it originated, a Bill "to regulate the practice of dentistry," with my objections thereto.

The controlling objection to this bill is, that by force of it the whole business of dentistry is made a possible monopoly, in the control of a close corporation, with restrictive by-laws, consisting of less than a hundred members, most of whom are in Boston; while the whole number of dentists in the Commonwealth is reported as some seven hundred. Under this act no person could hereafter enter into the practice of dentistry, except by consent of this society, which is put under no obligation to examine candidates, but may examine whom it pleases, and none else. It may set any standard it sees fit. The diploma of any other dental or medical society is nothing, unless such society is "recognized" as "respectable" by the Massachusetts Dental Society. But there is no standard of such respectability, or means of compelling such recognition. How and when is an applicant in Nantucket or Berkshire to get into the profession? Suppose the society fall into the control of those who desire no more competition? Grant, as is true, that the purpose of the bill is well meant, and that the Massachusetts Dental Society would, of course, have no other purpose than to keep the profession clear of impostors: nevertheless a wrong principle is involved, and the precedent is bad. If there must be a certificate of qualification, let it come from a board required to sit at stated times, and in convenient places throughout the State, and to pass upon the qualifications of all who apply. Such a board, too, should spring from a broader basis than a single society, however worthy. This would obviate the special objection to the present bill. I am persuaded the bill should be more carefully drawn before it becomes a law.

It is not easy to see why there should be special legislation concerning dentists only. Why not concerning

apothecaries, physicians, oculists, aurists, surgeons, cooks, plumbers, and the other businesses which involve life and health? It would perhaps be better worth while to consider the expediency of a general statute, to the effect that any person pursuing a business or profession without sufficient skill therein shall be punished. Such a statute, in the hands of judge and jury, would never work injustice, and yet would be ample for those exceptional cases of imposition, on the strength of which various special statutes are urged from year to year.

CHANGE OF NAMES.

CHANGE OF NAMES OF PERSONS.

In compliance with the requirement of the General Statutes, Chap. 110, Sect. 14, returns of the following Changes of Names have been received at the Department of the Secretary of the Commonwealth, as decreed by the several Judges of the Probate Courts, in their respective Counties:—

SUFFOLK COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1881.			
Jan. 10 .	Joseph Silver*	Joseph Buswell	Boston.
10 .	Sarah Anna Street *	Sarah Anna Gaines	Chelsea.
17 .	Anna Newton Cole *	Anna Newton Harding	Ashland.
24 .	Joseph Eleazar Raymond Piper	Joseph Eleazar Raymond	Boston.
24 .	Hattie Gertrude Henry *	Hattie Gertrude Lord	Boston.
Feb. 7 .	Arthur Cephas Hoar	Arthur Cephas Whitney	Boston.
14 .	Grace Crowningshield Barrington *	Florence Crowningshield Grout	Boston.
21 .	Mary Ann Dooley *	Anna Schmechl	Boston.
21 .	Milly Messer *	Nettie May Clark	Boston.
21 .	Elizabeth Antoinette Gould *	Elizabeth Gould Billings	Boston.
March 7 .	Marcia Jane Louisa Freeman	Marcia Jane Louisa Fogg	Boston.

CHANGE OF NAMES.

14	Daniel McCarthy *	Daniel Moore	Boston.
21	Herbert Leslie Woods *	Herbert Leslie Woods Morse	Brooks, Me.
21	Mary Cynthia Dunlop	Mary Cynthia Josephs	Boston.
21	Mary Elizabeth Dunlop	Mary Elizabeth Josephs	Boston.
21	William Henry Sullivan	George William Fenlee.	Boston.
21	Frances Sullivan	Frances Fenlee	Boston.
21	Edward Foster Morse *	James Edward Simmons	Chelsea.
21	Lulu Pearl Foster *	Lulu Pearl Whiting	Boston.
28	Loro Newton Cameron *	Mildred Blanche Sampson	Boston.
28	Arthur Murray *	Arthur Murray Grout	Boston.
28	Nellie Proctor *	Jessie Helena Morrison.	Lynn.
April 18	Eunice Gross *	Edith Alveua Richards.	Boston.
18	Elizabeth Hayes *	Hattie May Bean	Boston.
May 2	Mary M. O'Connor *	Mary M. Whelan	Boston.
2	Bessie Felton *	Bessie Mildred Gammon	Boston.
9	William Cameron *	Willie Castle Woodbury	Boston.
16	Mary Bateman *	Mary McCurdy	Boston.
16	William McIntyre *	William Barker Peirce	Boston.
23	Siegsmund Theodore Boetticher	Siegsmund Theodore Becker	Boston.

* Changed by reason of adoption.

SUFFOLK COUNTY — *Continued.*

Date of Decree.	Original Name.	Name Decreed.	Residence.
1881.			
June 6	Mary Gray *	Mary Ella Guild	Boston.
13	Hattie Bence *	Hattie Elvira Harding	New Haven, Conn.
13	Frank Lester Sweetser *	Frank Lester Logan	Portsmouth, N.H.
13	Nellie Palfrey Sweetser *	Nellie Palfrey Logan	Portsmouth, N.H.
20	Ella Maria Mann	Ella Maria Adams	Boston.
20	Frances Floribel Mann	Frances Floribel Adams	Boston.
20	Horace Herbert Mann	Horace Herbert Adams	Boston.
27	Hannah Stone *	Hannah Brown	Boston.
27	Nellie Murphy *	Mabel Alice Pittee	Boston.
27	James Rutherford Seavey *	Henry Beckwith Smith	Boston.
27	Althea Theresa Herring	Althea Theresa Butters	Boston.
July 11	Midget Day *	Annie Eugenia Crawford	Holyoke.
25	William F. Luby *	William F. Stephens	Boston.
Sept. 5	Fraus Albin Summerstrom	Fraus Albin Norman	Boston.
5	Evelyn Cecil Stanley *	Bessie Evelyn Johnson	Boston.
5	Annie Lizzie Morse *	Annie Lottie Anderson	Chelsea.
5	Edward Haines *	Edward Anson Kingsley	Boston.

CHANGE OF NAMES.

5	Lucy Austin *	Grace Brown Dodge	York, Me.
12	Alice Gertrude Dadmun	Alice Gertrude Hosmer.	Boston.
Oct. 3	Lottie Josephine Sessler *	Lottie Melissa Johnson .	Boston.
10	Walter Marshall Cutler .	Marshall Cutler	Boston.
24	Charles Willis Lee *	Charles Willis Lee Thorntou	St. Albans, Vt.
31	Charles Henry Bartlett Peterson *	Ralph Charles Sulloway	Plymouth.
31	Russell Swain Munroe	Russell Munroe	Boston.
31	Michael Granville Shean	Oscar Granville Bolton	Boston.
Nov. 7	Mary Ellen Doliver *	Ellen Prince	Boston.
14	Emma Gordon *	Grace Lillian Ray	Boston.
14	Mary Ellen Mansfield Heggerty *	Daisy Gertrude McFarland	Boston.
14	Mary Agnes Jackson *	Daisy Mainjoy	Stow.
14	Dora Elizabeth McDermott *	Mildred Eudora Smith	Boston.
14	George Morris *	George Edward Emerson	Boston.
14	William Caspar Sessler *	William John Sullivan	Boston.
21	Louis Gurki	Louis Crown	Boston.
28	Mabel Wilson Bishop *	Carolina Rebecka Morise	Boston.
28	Mabel Davison *	Maud Ethel Quimby	Boston.
28	Lillie Mabel Hall *	Ellen Jane Booth	Boston.

* Changed by reason of adoption.

SUFFOLK COUNTY — *Concluded.*

Date of Decree.	Original Name.	Name Decreed.	Residence.
1881.			
Nov. 28	Mary Josephs *	Violet Isabel Taylor	Boston.
28	Ara Pitman *	Ida Boyce	Franklin.
28	William Shuler *	George Huntington Martis	Boston.
28	Thomas Frederick Donahue	Frederick Thomas	Boston.
Dec. 5	Alice Greenwood Reed *	Elie May Green	Boston.
12	Robert Latta Doyle	Robert Henry Latta	Boston.
12	Jennie Maud Henderson *	Jennie Maud Turner	Boston.
12	Willie Concannon *	William Swain	Boston.
19	Ernest Leon *	Percy Farnum	Unknown.
ESSEX COUNTY.			
Jan. 3	Mary Readley *	Lillian Swett Greeley	Unknown.
10	Joseph Judd *	Joseph Henry Stott	Lawrence.
10	Margaret Judd *	Margaret M. Birch	Lawrence.
17	Lillian M. Bruce *	Lillian M. Thwing	California.

CHANGE OF NAMES.

17	William Edward James *	William Edward Robbins	Lynn.
17	Edith May James *	Helen Edith Nourse	Lynn.
7	Harry Jackson	Harry King Jackson	Salem.
7	Thomas H. Pynn	Thomas H. Penn	Newburyport.
21	Hattie Belle Langill *	Lizzie Belle Otto	Unknown.
March 14	Wendell Phillips Kenney	Stephen Wendell Abbott	Lawrence.
14	Martha A. Smith *	Martha A. Thornley	Hyde, Eng.
21	George Arthur Williston *	George Williston Field	Salem.
April 18	Catharine A. O'Connell *	Catharine A. Donahue	Lawrence.
May 16	William Blake *	Herbert Coryoden Dennett	Boston.
June 20	Ellen J. Greeley	Ellen J. Tilton	Newburyport.
July 8	Harriet Eliza Reid	Harriet Eliza Sargent	Gloucester.
18	Bertha Adaline Zeigert *	Bertha Steen Flint	Boston.
25	— Laughlin *	Ellen Kelley	Haverhill.
Sept. 12	Carrie C. Crosby *	Carrie C. Rooks	Eddington, Me.
12	Emily Robinson *	Emily Heys	Lawrence.
19	Mattie Warren *	Mabel Florence Churchill	Marblehead.
Oct. 3	William Sherman Harris *	William Sherman Taylor	Newbern, N.C.
3	Emma Jane Whittimore	Emma Whittimore Crowell	Beverly.
24	Eva O. Spates *	Eva O. Pike	Rockport.

* Changed by reason of adoption.

CHANGE OF NAMES.

MIDDLESEX COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1881.			
Jan. 11	Claude W Ellis *	Claude Wilfred Fisher	Malden.
Feb. 8	Agnes Maud Marshall *	Agnes Maud Robinson	Lowell.
March 1	Jessie Shorey *	Bessie Luella Adams	Lowell.
22	Eva Maud Williams *	Eva Maud Bolles	Pepperell.
22	Charles C. Sleeper *	Charles Sleeper Young	Lowell.
22	Mabel Pierce Harding *	Mabel Lovell Daniels	Holliston.
22	Hulbert Carr Walsh *	Hulbert Carr Griffin	Lowell.
April 5	Willard Branigan	Willard Elmes	Waltham.
5	Gertrude A. Rockwood *	Mary Gertrude Hemenway	Woburn
5	Mary Elizabeth Bowden *	Marilla Thompson	Framingham.
26	Walter Stover *	Thomas Henry Holland	Townsend.
May 10	Edith Ella Wells *	Bessie Atkinson Little	Framingham.
24	Maggie Emery *	Carrie Emery	Belmont.
24	Alice Gardner Sandford *	Alice Gardner Davis	Everett
June 14	George Cunmabell	George Cunmabell Howard	Cambridge.
14	Lilly Wilbur *	Lilla Ella Gould	Lowell.
14	John McManus *	John Sinnott	Bedford.

CHANGE OF NAMES.

14	Edward Francis Richards *	Edward Francis Richards	Saunders	Natick.
July	Eva Clark *	Eva Leavens Davis	Everett.	
5	Sarah Isabel Wilton *	Sarah Isabel Page	Cambridge.	
26	Joseph Donovan *	Joseph Burke	Marlborough.	
26	Eva Bates Corey	Eva May Corey	Watertown.	
26	Hugh Alfred Flinn	Hugh Alfred Lee	Waltham.	
26	William Herd Greenlees	William Herd Greenleaf	Waltham.	
26	Jane Herbert Greenlees	Jane Herbert Greenleaf	Waltham.	
6	Mary Bird Cowdry	Mary Bird Lawrence	Wakefield.	
6	Frank Gunderway *	Frank Morandus	Somerville.	
6	Joseph Sauvageau *	Joseph Smith	Lowell.	
20	Charles H. Swett *	Ambrose Charles Thissell	Dracut.	
27	William Wallace Whitten *	William Whitten Hildreth	Natick	
Oct.	Ralph Saunders Kingsley *	Harry William Rockwell	Somerville.	
11	Abbie Dorothy Teflow	Abbie Dorothy Kimball	Malden.	
25	George N. Lucian	George Nicholas Banfield	Lowell.	
25	Ethel Corinne Wellington	Ethel Corinne Boynton	Cambridge.	
Nov.	Grace Wood	Grace Abbot Wood	Lowell.	
1	George Clerendon Cotting	Philip Clerendon Cotting	Marlborough.	

* Changed by reason of adoption.

MIDDLESEX COUNTY — *Concluded.*

Date of Decree.	Original Name.	Name Decreed.	Residence.
1881.			
Nov. 15	Frederick Woodward *	Glenwood Frederick Braun	Everett.
15	Mary Ames *	Lizzie Brandon Scofield	Somerville.
22	Margaret Frances Williams Cowland *	Emma Frances Smith	Cambridge.
Dec. 6	James Clark *	James Arthur Perkins	Frammingham.
27	Edith Treadworth Gilson *	Mary Abigail Glasgow	Cambridge.
27	Eveline Augusta Barnes *	Eveline Augusta Flagg	Wilmington.
WORCESTER COUNTY.			
Jan. 4	— Burns *	Edgar E. Fisk	Gardner.
4	Lula Grafton *	Lula Rebecca Lovewell	Hubbardston.
4	Hattie Bell Rathburn *†	Hattie Bell Gnilford	Hardwick.
4	Sarah Pyne	Sarah McFarland	Worcester.
4	Alfred Henry Damon	Albert Boutelle Damon	Fitchburg.
18	Eva Lenora Wheeler *	Eva Lenora Day	Berlin.
Feb. 15	Charles Henry Damon *	Charles James Powell	Fitchburg.

CHANGE OF NAMES.

15	Alice Jessie Goodrich *	Jessie Alice Cady .	Grafton.
March 1	—	Ethel Wheeler Lewis .	Fitchburg.
1	Fannie Taylor Higgins *	Fannie Taylor Litchfield .	Berlin.
15	Octave Coron *	Octave Landerville .	Warren.
15	Frank S. Coron *	Frank S. Tremblay .	Warren.
15	Mary Coron *	Mary Maranda .	Warren.
April 5	Carl King *	Carl King Bancroft .	Phillipston.
5	Philomaine Coron *	Philomaine Mathew .	Brookfield.
26	Alice Estella Boughton *	Estella Jones Cuthbert .	Fitchburg.
May 3	Nettie Garfield Oliver *	Mabel Maria Frost .	Worcester.
3	Anna F. Mars *	Mabel Maria Reed .	Worcester.
24	Allen G. Wood *	Allen Gordon Buttrick .	Lancaster.
24	Ralph Arnold *	Walter Chamberlain Whittier .	Fitchburg.
July 5	Grace Evaline Pierce *	Gracie Stevens .	Oxford.
19	Bertha Shaw *	Edith Eleanor Gunn .	Northbridge.
19	— Clark *	Ethel Susie Jordan .	Worcester.
19	Florence May Holman *	Florence May Norwood .	Worcester.
Sept. 6	Adah Harriet Dorman .	Adah Harriet Fisher .	Worcester.
20	Ann Gruby *	Ann Keveny .	Southbridge.

* Changed by reason of adoption. † Returned in 1881 by mistake.

WORCESTER COUNTY — *Concluded.*

Date of Decree.	Original Name.	Name Decreed.	Residence.
1881.			
Sept. 27	Ida Sawtell *	Ida M. Hall	Fitchburg.
Oct. 4	Sarah Wilson *	Jennie Mabel Rugg	Gardner.
Nov. 1	Abbie J. Fitton *	Abbie J. Austin	Worcester.
15	Flora Dell Reynolds *	Flora Dell Twitchell	Fitchburg.
22	— Foster *	Edith Florence Porter	Athol.
Dec. 6	Josephine Read *	Josephine Maud Henderson	Northbridge.
6	James May *	James May Austin	Worcester.
20	Mamie Jane Perry	Florence May Wheeler	Athol.
HAMPSHIRE COUNTY.			
Jan. 4	Elizabeth Collard *	Elizabeth Grace Kollogg	Goshen.
11	Grace Maud Chamberlain *	Evelina Geneveive Bishop	Northampton.
Feb. 1	Name unknown *	Celia Miranda Hineckey	South Hadley.
March 1	H. Bessie Deacon *	Grace Maud Lindsay	Easthampton.
April 5	James Arthur Scott *	James Arthur Wainwright	Easthampton.

CHANGE OF NAMES.

May	3	Willie H. Wornsley *	Charles Frederick Wilson	Amberst.
	3	George Eugene Mumford *	George Eugene Mumford Mayor	Goshen.
	10	Infant without name *	Chester William Dunlap	Enfield.
Nov.	1	Grace M. Clark *	Grace M. Shaw	Cummington.

HAMPDEN COUNTY.

Jan.	4	Harriett Louisa Warner *	Mabel Ione Morgan	Chicopee.
Feb.	1	Lina Delle Moody *	Lina Delle Strong.	Springfield.
	8	Lillian Eunice Miller *	Lillian Eunice Wright	Palmer.
May	3	Florence Irene Straudberg *	Florence Irene Hibbard	Springfield.
	10	Leonard Stickney Shaw *	Leonard Stickney Chapin	Springfield.
	17	William Oliver Scott *	Frederick Otis Reed	Westfield.
July	5	Alice Leonard *	Alice Gertrude Westman	Black Hawk, Col.
	5	Eliza Jane Grady *	Eliza Jane Whooly	Holyoke.
	5	Wilbur Randolph Ladd, jun.	Wilbur Allin Ladd	Holyoke.
Aug.	2	Anna Theresia Wiemer *	Anna Theresia Funke	Springfield.
Sept.	6	Unnamed *	Florence Amelia Rising	Springfield.
Oct.	20	Joseph Loisele *	Joseph Robert	Holyoke.
Nov.	7	Georgianna Fuller *	Lena Grace Palmer	Palmer.

* Changed by reason of adoption.

FRANKLIN COUNTY.

Date of Decree.	Original Name.	Name Deceed.	Residence.
1881.			
June 21	Roxanna E. Davis *	Cora M. Simonds .	Northfield.
July 5	Lizzie McGee *	Lizzie E. Miner .	Greenfield.
Sept. 6	Della F. Davis *	Della F. Ellis .	Montague.
BERKSHIRE COUNTY.			
May 3	Clara C. Winchester *	Clara C. Church .	North Adams.
July 19	James D. Howe *	James D. Harder .	Pittsfield.
Sept. 6	Mary Ann Wilson *	Mary Wilson McColgan .	Pittsfield.
6	Emma A. Redding *	Emma A. Crispell .	West Stockbridge.

NORFOLK COUNTY.

Feb. 16	Georgia Augusta Stevens *	Edha Gertrude Wilson .	Wrentham.
March 19	Susie Elizabeth Newbury *	Susan Elizabeth Coombs .	Wrentham.
April 20	Emma Louisa Zeecher, <i>alias</i> Bertha Pye *	Elsie Maud Billings .	Brookline.

CHANGE OF NAMES.

June 8	May Reynolds *	Henrietta Edith Wood	Wellesley.
15	Clara Elizabeth Cargill *	Elizabeth Cargill Weatherbee	Coliasset.
July 6	Minnie Madella Carter *	Minnie Madella Cram	Weymouth.
Sept. 7	Jessie Brown Calligan *	Jessie Callagan Weston.	Needham.
7	Albert Everett Sawyer	Albert Everett	Norwood.
Nov. 16	Fanny Leonard *	Bertha Louisa Blake	Franklin.
PLYMOUTH COUNTY.			
May 9	Mary Jane Ferguson *	Mary Jane Luddy	South Abington.
9	Alice Belle Joslyn *	Alice Belle Lyon	Bridgewater.
Oct. 10	Emmanuel Francis Freemfreddo	Emmanuel Francis McHenry	Plymouth.
BRISTOL COUNTY.			
Jan. 7	Benjamin Ashworth *	Benjamin Forster	Safford, Eng.
7	John Franklin Mather	Frank Pomey Mather	Fall River.
7	Mary E Jones *	Mary E Brown	New Bedford.

* Changed by reason of adoption.

BRISTOL COUNTY — *Concluded.*

Date of Decree.	Original Name.	Name Decreed.	Residence.
1881.			
Jan. 21	Charles A. Morse *	Charles A. Harvey	Taunton.
Feb. 4	Harriet Byron Alden *	Harriet Byron Viall	Fairhaven.
March 4	Elisabeth Briggs	Elisabeth Stewart	Attleborough.
4	Mary Elisabeth Goff *	Mary Elisabeth Cox	Taunton.
18	Arthur Hayes Robert *	Harrie Arthur Scribner.	Boston.
April 1	Ada Swain Prouty *	Ida Stella Sandford	New Bedford.
1	Rosa Rich *	Cassie Leona Gold	Boston.
15	George L. Root *	George L. Staples	Providence, R.I.
May 6	Gertrude E. Foster *	Gertrude E. Scott	New Bedford.
6	Herbert H. Jackson *	Herbert H. Mitchell	New Bedford.
June 3	Eugene B. Lowe	Eugene B. Lee	Attleborough.
17	Meribah Jane Lawton	Adopted, but name unchanged	Fall River.
Aug. 5	Mary Anna Sylvester Backus *	Mary Anna Sylvester Demers	New Bedford.
5	Nameless child	Grace Blanchard Peirce	New Bedford.
Sept. 2	Ehner A. Macomber *	Ehner Albert Eddy	Taunton.

Nov. 4	Nellie Folger Prouty *	.	.	.	Nellie Eudora Johnson	.	.	.	New Bedford.
4	Louisa Harrington *	.	.	.	Louisa Maria Taylor	.	.	.	Fall River.

BARNSTABLE COUNTY.

June 21	Albert Snow	.	.	.	Albert Clarence Snow	.	.	.	Yarmouth.
Aug. 9	Georgianna M. Voudy *	.	.	.	Mabel Betsie Seans	.	.	.	Dennis.
9	Mary Alice Morse *	.	.	.	Mary Alice Fish	.	.	.	Barnstable.
9	Cora Ada Blake *	.	.	.	Ada Cora Fisher	.	.	.	Barnstable.

* Changed by reason of adoption.

THE
CIVIL GOVERNMENT

OF THE

Commonwealth of Massachusetts,

AND OFFICERS IMMEDIATELY CONNECTED THEREWITH,
FOR THE POLITICAL YEAR

1882.

EXECUTIVE DEPARTMENT.

HIS EXCELLENCY

JOHN D. LONG,
GOVERNOR.

EDWARD F. HAMLIN* *Acting Private Secretary.*

HIS HONOR

BYRON WESTON,
LIEUTENANT-GOVERNOR.

COUNCIL—(BY DISTRICTS).

- I.—MATTHEW H. CUSHING Middleborough.
- II.—NATHANIEL WALES Stoughton.
- III.—EUSTACE C. FITZ Chelsea.
- IV.—MICHAEL J. FLATLEY Boston.
- V.—JOSEPH DAVIS Lynn.
- VI.—GEORGE HEYWOOD Concord.
- VII.—RODNEY WALLACE Fitchburg.
- VIII.—RUFUS D. WOODS Enfield.

HENRY B. PEIRCE,

SECRETARY OF THE COMMONWEALTH.

HENRY J. COOLIDGE, *1st Clerk.* ISAAC H. EDGETT, *2d Clerk.*
GEORGE G. SPEAR, JUN., *3d Clerk.*

DANIEL A. GLEASON,

TREASURER AND RECEIVER-GENERAL.

DANIEL H. ROGERS, *1st Clerk.* JOHN Q. ADAMS, *2d Clerk.*

CHARLES R. LADD,

AUDITOR OF ACCOUNTS.

WILLIAM D. HAWLEY, *1st Clerk.* EDWARD S. DAVIS, *2d Clerk.*

GEORGE MARSTON,

ATTORNEY-GENERAL.

CHARLES H. BARROWS *Assistant Attorney-General.*

* *Vice William M. Olin, resigned May 20.*

LEGISLATIVE DEPARTMENT.

GENERAL COURT :

ARRANGED IN ACCORDANCE WITH THE DISTRICT REVISION OF 1876.

SENAT

President — ROBERT R. BISHOP.

District.	Name of Senator.	Residence.
First Suffolk . . .	James Smith . . .	Boston.
Second " . . .	John H. Sherburne . . .	Boston.
Third " . . .	Owen A. Galvin . . .	Boston.
Fourth " . . .	George G. Crocker . . .	Boston.
Fifth " . . .	Charles T. Gallagher . . .	Boston.
Sixth " . . .	Charles H. Allen . . .	Boston.
Seventh " . . .	Arthur W. Tufts . . .	Boston.
Eighth " . . .	Joseph Bennett . . .	Boston.
First Essex . . .	John R. Baldwin . . .	Lynn.
Second " . . .	Nathaniel A. Horton . . .	Salem.
Third " . . .	Francis Norwood . . .	Beverly.
Fourth " . . .	Joseph N. Rolfe . . .	Newbury.
Fifth " . . .	Augustus Mudge . . .	Danvers.
Sixth " . . .	Andrew C. Stone . . .	Lawrence.
First Middlesex . . .	George A. Bruce . . .	Somerville.
Second " . . .	Robert R. Bishop . . .	Newton.
Third " . . .	Leander M. Hannum . . .	Cambridge.
Fourth " . . .	Charles Q. Tirrell . . .	Natick.

SENATE.

District.	Name of Senator.	Residence.
Fifth Middlesex . . .	Charles F. Gerry . . .	Sudbury.
Sixth " . . .	Thomas Winship . . .	Wakefield.
Seventh " . . .	Jeremiah Crowley . . .	Lowell.
First Worcester . . .	Thomas J. Hastings . . .	Worcester.
Second " . . .	George W. Johnson . . .	Milford.
Third " . . .	Chester C. Corbin . . .	Webster.
Fourth " . . .	John M. Moore . . .	Gardner.
Fifth " . . .	Daniel B. Ingalls . . .	Clinton.
Hampshire . . .	Samuel M. Cook . . .	Granby.
First Hampden . . .	William H. Haile . . .	Springfield.
Second " . . .	Charles A. Corser . . .	Holyoke.
Franklin . . .	James S. Grinnell . . .	Greenfield.
North Berkshire . . .	Francis W. Rockwell . . .	Pittsfield.
South " . . .	John M. Seeley . . .	Gt. Barrington.
First Norfolk . . .	David W. Tucker . . .	Milton.
Second " . . .	Warren E. Locke . . .	Norwood.
First Plymouth . . .	Peleg McFarlin . . .	Carver.
Second " . . .	James S. Allen . . .	E. Bridgewater.
First Bristol . . .	Willam Reed, jun. . .	Taunton.
Second " . . .	Andrew J. Jennings . . .	Fall River.
Third " . . .	William Barker, jun. . .	Dartmouth.
Cape . . .	Joseph P. Johnson . . .	Provincetown.
STEPHEN N. GIFFORD		<i>Clerk.</i>
EDMUND DOWSE		<i>Chaplain.</i>
O. F. MITCHELL		<i>Sergeant-at-Arms.</i>

HOUSE OF REPRESENTATIVES.

Speaker — CHARLES J. NOYES.

COUNTY OF SUFFOLK.

District.	Ward.	Name of Representative.	Residence.
1st,	Boston, Ward 1	. { Benj. F. Campbell . Harvey N. Shepard .	Boston. Boston.
2d,	Boston, Ward 2	. { William J. Burke . Joseph P. Hamlin .	Boston. Boston.
3d,	Boston, Ward 3	. { James White . Samuel C. Hunt .	Boston. Boston.
4th,	Boston, Ward 4	. Edwin L. Pillsbury .	Boston.
5th,	Boston, Ward 5	. { John Reade . Samuel T. Harris .	Boston. Boston.
6th,	Boston, Ward 6	. { John B. Sheerin . Thomas McCullough,	Boston. Boston.
7th,	Boston, Ward 7	. { Alex. B. McGahey . Hugh A. Carr .	Boston. Boston.
8th,	Boston, Ward 8	. { John E. McNelley . Charles W. Smith .	Boston. Boston.
9th,	Boston, Ward 9	. { John F. Andrew . Henry W. Swift .	Boston. Boston.
10th,	Boston, Ward 10	. { Henry H. Sprague . Charles Wheeler .	Boston. Boston.
11th,	Boston, Ward 11	. { Roger Wolcott . John W. Leighton .	Boston. Boston.
12th,	Boston, Ward 12	. { Jeremiah H. Mullane, Patrick F. McDonald,	Boston. Boston.
13th,	Boston, Ward 13	. { Cornelius F. Cronin, Dennis F. Brennan .	Boston. Boston.
14th,	Boston, Ward 14	. { Charles J. Noyes . Arthur H. Wilson .	Boston. Boston.

HOUSE OF REPRESENTATIVES.

COUNTY OF SUFFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
15th,	Boston, Ward 15 . }	Henry C. Towle . Oliver G. Fernald .	Boston. Boston.
16th,	Boston, Ward 16 . }	Abraham J. Lamb . Joseph H. O'Neil .	Boston. Boston.
17th,	Boston, Ward 17 . }	Jesse L. Nason . Edmund T. Eastman,	Boston. Boston.
18th,	Boston, Ward 18 . }	Edward P. Brown . George E. Learnard,	Boston. Boston.
19th,	Boston, Ward 19 . }	Thomas Fay, jun. . Patrick H. Manning,	Boston. Boston.
20th,	Boston, Ward 20 . }	Horace T. Rockwell, Arthur F. Means .	Boston. Boston.
21st,	Boston, Ward 21 . }	Andrew J. Browne . Benj. C. Tiukham .	Boston. Boston.
22d,	Boston, Ward 22 .	Alfred Ziegler .	Boston.
23d,	Boston, Ward 23 . }	Levi L. Willeutt . Edward P. Butler .	Boston. Boston.
24th,	Boston, Ward 24 . }	George L. Burt . Robert T. Swan .	Boston. Boston.
25th,	Boston, Ward 25 .	John W. Hollis .	Boston.
26th,	{ Chelsea . . . } { Revere . . . } { Winthrop . . }	Chas. C. Hutchinson, Joseph W. Stickney, Thomas Floyd.	Chelsea. Chelsea. Winthrop.

COUNTY OF ESSEX.

1st,	{ Rockport . . . } { Gloucester, Ward 7, }	Jason L. Curtis .	Rockport.
2d,	{ Gloucester, Wards 1, } { 2, 3, 4, 5, 6 . . }	Wm. H. Wanson, 3d, Isaac A. S. Steele .	Gloucester. Gloucester.
3d,	{ Gloucester, Ward 8, } { Essex } { Manchester . . . } { Hamilton . . . }	Stephen P. Andrews,	Essex.

HOUSE OF REPRESENTATIVES.

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COUNTY OF ESSEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
4th,	{ Wenham . . . } { Danvers . . . }	Gilbert A. Tapley .	Danvers.
5th,	Beverly . . .	John I. Baker . .	Beverly.
6th,	{ Salem, Wards 1, 2, } { 5 }	James F. Almy . . William Cogswell .	Salem. Salem.
7th,	{ Salem, Wards 3, 4, } { 6 }	Rufus B. Gifford . Charles B. Fowler .	Salem. Salem.
8th,	{ Marblehead . . } { Swampscott . . }	William B. Brown . Thomas P. M. Rix .	Marblehead. Marblehead.
9th,	Lynn, Ward 3 . .	Benjamin Dupar .	Lynn.
10th,	{ Lynn, Wards 1, 2, } { 4, 5, 7 . . . }	Hartwell S. French . Frank D. Allen . . John Marlor . . .	Lynn. Lynn. Lynn.
11th,	Lynn, Ward 6 . .	James W. Switzer .	Lynn.
12th,	Peabody	John Pinder . . .	Peabody.
13th,	{ Saugus } { Lynnfield . . . } { Middleton . . . } { Topsfield . . . }	John H. Potter . .	Topsfield.
14th,	{ Andover } { North Andover . }	Charles Smith . .	Andover.
15th,	{ Boxford } { Rowley } { Ipswich }	Milton Ellsworth .	Rowley.
16th,	{ Newbury } { Newburyport, W'ds } { 1, 2, 3, 4, 5, 6 . }	John P. Coombs . . Edward P. Shaw . .	Newburyport. Newburyport.
17th,	{ Georgetown . . } { Groveland . . . } { Bradford }	Alfred E. Towne .	Bradford.
18th,	{ West Newbury . . } { Salisbury } { Amesbury } { Merrimac }	Oliver A. Roberts . Albert Sargent . .	Salisbury. Merrimac.

HOUSE OF REPRESENTATIVES.

COUNTY OF ESSEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
19th,	{ Haverhill, Wards 1, } 2, 3, 4, 5, 6 . . }	Daniel B. Cluff .	Haverhill.
		Edwin N. Hill .	Haverhill.
		Adams H. Cogswell .	Methuen.
20th,	{ Lawrence, Wards 1, } 2, 3 . . . }	Dennis Gilmartin .	Lawrence.
		Dennis A. Sullivan .	Lawrence.
21st,	{ Lawrence, Wards 4, } 5, 6 . . . }	Jona. D. Boothman .	Lawrence.
		John B. Campbell .	Lawrence.

COUNTY OF MIDDLESEX.

1st,	{ Cambridge, Wards } 1, 5 . . . }	Chester W. Kingsley,	Cambridge.
		Henry W. Muzzey .	Cambridge.
2d,	{ Cambridge, Wards } 2, 4 . . . }	Henry J. Wells .	Cambridge.
		Sumner Albee .	Cambridge.
		G. D. Chamberlain .	Cambridge.
3d,	Cambridge, Ward 3,	John McSorley .	Cambridge.
4th,	Somerville, Ward 1,	Charles H. Guild .	Somerville.
5th,	Somerville, Ward 2,	Quincy A. Vinal .	Somerville.
6th,	{ Somerville, Wards } 3, 4 . . . }	Edward Glines .	Somerville.
7th,	Medford . . .	John C. Rand . .	Medford.
8th,	{ Malden . . . } { Everett . . . }	Ezra A. Stevens .	Malden.
		William F. Chester .	Malden.
9th,	Melrose . . .	B. Marvin Fernald .	Melrose.
10th,	Stoneham . . .	John W. Spencer .	Stoneham.
11th,	Wakefield . . .	Solon O. Richardson,	Wakefield.
12th,	{ Reading . . . } { North Reading . . } { Wilmington . . . }	George H. Parker .	Reading.
13th,	Woburn . . .	Edward D. Hayden .	Woburn.
14th,	{ Arlington . . . } { Winchester . . . }	Jonas C. Harris .	Arlington.

COUNTY OF MIDDLESEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
15th,	{ Watertown . . . } { Belmont . . . }	Samuel Walker .	Watertown.
16th,	{ Newton, Wards 1, } { 2, 3, 4, 5, 6, 7 . }	George W. Morse . John H. Sanborn .	Newton. Newton.
17th,	Waltham . . .	Rufus Warren .	Waltham.
18th,	{ Lexington . . . } { Burlington . . . } { Bedford . . . } { Billerica . . . }	Ebenezer Baker .	Billerica.
19th,	{ Tewksbury . . . } { Chelmsford . . . } { Tyngsborough . . . } { Dracut . . . }	Enoch Foster . .	Tewksbury.
20th,	Lowell, Ward 1 .	James Kelly . .	Lowell.
21st,	Lowell, Ward 2 .	Wm. F. Courtney .	Lowell.
22d,	Lowell, Ward 3 .	John H. Morrison .	Lowell.
23d,	Lowell, Ward 4 .	Charles H. Allen .	Lowell.
24th,	Lowell, Ward 5 .	Ambrose L. Ready .	Lowell.
25th,	Lowell, Ward 6 .	J. Tyler Stevens .	Lowell.
23th,	{ Concord . . . } { Acton . . . } { Carlisle . . . } { Lincoln . . . }	Moses Taylor . .	Acton.
27th,	{ Weston . . . } { Wayland . . . } { Sudbury . . . } { Maynard . . . }	Edward Carter .	Wayland.
28th,	Natick . . .	Daniel Dorchester .	Natick.
29th,	{ Holliston . . . } { Sherborn . . . }	Willis A. Kingsbury,	Holliston.
30th,	{ Hopkinton . . . } { Ashland . . . }	Owen Wood . . .	Hopkinton.
31st,	Framingham . .	James R. Entwistle,	Framingham.

HOUSE OF REPRESENTATIVES.

COUNTY OF MIDDLESEX — CONCLUDED.

District	Town.	Name of Representative.	Residence.
32d,	Marlborough . . .	Timothy A. Coolidge,	Marlborough.
33d,	{ Hudson . . . } { Stow . . . } { Boxborough . . . } { Littleton . . . }	A. W. Wetherbee .	Boxborough.
34th,	{ Westford . . . } { Groton . . . } { Dunstable . . . } { Pepperell . . . }	Sherman H. Fletcher,	Westford.
35th,	{ Ayer . . . } { Shirley . . . } { Townsend . . . } { Ashby . . . }	Andrew W. Felch .	Ayer.

COUNTY OF WORCESTER.

1st,	{ Blackstone . . . } { Uxbridge . . . }	Americus Welch .	Blackstone.
2d,	{ Mendon . . . } { Milford . . . } { Upton . . . }	Silas W. Hale . Edward S. Leland .	Milford. Upton.
3d,	{ Northbridge . . . } { Grafton . . . }	Ashley W. Rice .	Grafton.
4th,	{ Westborough . . . } { Southborough . . . }	W. T. Forbes .	Westborough.
5th,	{ Clinton . . . } { Berlin . . . } { Bolton . . . } { Sterling . . . } { Lancaster . . . } { Harvard . . . } { Lunenburg . . . }	Lucius Field . Aaron R. Powers .	Clinton. Bolton.
6th,	{ Fitchburg . . . }	Leander Sprague . Zechariah F. Young,	Fitchburg. Fitchburg.
7th,	{ Wrentham . . . } { Ashburnham . . . } { Gardner . . . } { Westminster . . . } { Princeton . . . }	John D. Edgell . John B. Fay .	Gardner. Princeton.

COUNTY OF WORCESTER — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
8th,	{ Athol . . . } { Royalston . . . }	H. M. Humphrey .	Athol.
9th,	{ Petersham . . . } { Phillipston . . . } { Templeton . . . } { Hubbardston . . . }	William J. Eveleth .	Hubbardston.
10th,	{ Dana . . . } { Hardwick . . . } { Barre . . . } { Oakham . . . } { New Braintree . . . }	James H. Walker .	Hardwick.
11th,	{ Rutland . . . } { Holden . . . } { Paxton . . . } { Leicester . . . }	Henry W. Warren .	Holden.
12th,	{ West Brookfield . . . } { Warren . . . } { Brookfield . . . } { North Brookfield . . . } { Sturbridge . . . }	Hiram Knight . . David W. Hodgkins,	N. Brookfield. Brookfield.
13th,	{ Spencer . . . } { Charlton . . . } { Southbridge . . . } { Oxford . . . }	Isaac L. Prouty . George H. Taft .	Spencer. Charlton.
14th,	{ Douglas . . . } { Webster . . . } { Dudley . . . }	Edwin Moore . .	Douglas.
15th,	{ Auburn . . . } { Millbury . . . } { Sutton . . . }	John Hopkins . .	Millbury.
16th,	{ Shrewsbury . . . } { Northborough . . . } { Boylston . . . } { West Boylston . . . }	Abel O. Perry . .	Shrewsbury.
17th,	Leominster . . .	Joel Smith . . .	Leominster.
18th,	Worcester, Ward 1,	Aaron G. Walker .	Worcester.
19th,	Worcester, Ward 2,	Samuel A. Porter .	Worcester.

HOUSE OF REPRESENTATIVES.

COUNTY OF WORCESTER — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
20th,	Worcester, Ward 3,	Eugene M. Moriarty,	Worcester.
21st,	Worcester, Ward 4,	David F. O'Connell,	Worcester.
22d,	Worcester, Ward 5,	John R. Thayer .	Worcester.
23d,	Worcester, Ward 6,	Asaph R. Marshall .	Worcester.
24th,	Worcester, Ward 7,	Edwin Ames . .	Worcester.
25th,	Worcester, Ward 8,	William L. Clark .	Worcester.

COUNTY OF HAMPSHIRE.

1st,	{ Easthampton . . . } { Northampton . . . } { Southampton . . . }	Edwin R. Bosworth, Sidney Strong . .	Easthampton. Northampton.
2d,	{ Hadley } { Hatfield } { Westhampton . . . } { Williamsburg . . . }	Rowland Ayres .	Hadley.
3d,	{ Chesterfield . . . } { Cummington . . . } { Goshen } { Huntington } { Middlefield } { Plainfield } { Worthington . . . }	Wm. W. Mitchell .	Cummington.
4th,	{ Amherst } { Pelham } { Prescott } { South Hadley . . . }	Hobart P. Street .	South Hadley.
5th,	{ Belchertown . . . } { Enfield } { Granby } { Greenwich } { Ware }	Charles E. Stevens .	Ware.

COUNTY OF HAMPDEN.

1st,	{ Monson } { Brimfield } { Holland } { Wales }	William L. Webber,	Holland.
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COUNTY OF HAMPDEN — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
	{ Palmer . . . } { Wilbraham . . . } { Hampden . . . } { Ludlow . . . }	William Holbrook .	Palmer.
3d,	Chicopee . . .	Frank H. Morton .	Chicopee.
4th,	{ Springfield, Wards } { 1, 2 . . . }	Theodore D. Beach . Wilson Eddy . . .	Springfield. Springfield.
5th,	{ Springfield, Wards } { 3, 6 . . . }	George P. Stebbins .	Springfield.
6th,	{ Springfield, Wards } { 4, 7 . . . } { Longmeadow . . }	Joseph Scott . . .	Springfield.
7th,	{ Springfield, Wards } { 5, 8 . . . }	Edward H. Lathrop,*	Springfield.
8th,	{ Holyoke, Wards 1, } { 2, 3, 4, 5 . . }	John H. Wright .	Holyoke.
9th,	{ Holyoke, Wards 6, 7, } { West Springfield . }	Isaac B. Lowell .	W. Sp'ngfield.
10th,	{ Westfield . . . } { Agawam . . . } { Montgomery . . }	Edw'd C. Carpenter, John W. Colton .	Westfield. Westfield.
11th,	{ Southwick . . . } { Granville . . . } { Tolland . . . } { Blandford . . . } { Chester . . . } { Russell . . . }	Homer P. Twining .	Tolland.

COUNTY OF FRANKLIN.

1st,	{ Erving . . . } { Warwick . . . } { Orange . . . } { New Salem . . }	Daniel Ballard .	New Salem.
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* Elected March 21, *vice* John L. Rice, resigned.

HOUSE OF REPRESENTATIVES.

COUNTY OF FRANKLIN — CONCLUDED.

District.	Town.	Name of Representative.	Residence.
2d,	{ Montague . . . } { Sunderland . . . } { Leverett . . . } { Shutesbury . . . } { Wendell . . . }	James A. Gunn .	Montague.
,	{ Greenfield . . . } { Gill . . . } { Shelburne . . . }	George P. Carpenter,	Shelburne.
4th,	{ Deerfield . . . } { Conway . . . } { Whately . . . }	Robert Abercrombie,	Deerfield.
5th,	{ Northfield . . . } { Bernardston . . . } { Leyden . . . } { Colrain . . . } { Heath . . . }	Henry W. Montague,	Northfield.
6th,	{ Ashfield . . . } { Buckland . . . } { Charlemont . . . } { Hawley . . . } { Rowe . . . } { Monroe . . . }	Vaniah M. Porter .	Rowe.

COUNTY OF BERKSHIRE.

1st,	{ Hancock . . . } { Lanesborough . . . } { New Ashford . . . } { Williamstown . . . } { Clarksburg . . . }	Charles D. Belden .	Williamstown.
2d,	{ Adams . . . } { North Adams . . . }	Alexander W. Preston, Nathan S. Babbitt .	North Adams. North Adams.
3d,	{ Pittsfield . . . } { Dalton . . . }	Samuel W. Bowerman, Edward D. G. Jones,	Pittsfield. Pittsfield.
4th,	{ Florida . . . } { Savoy . . . } { Cheshire . . . } { Windsor . . . } { Washington . . . } { Peru . . . } { Hinsdale . . . }	Alanson S. Pomeroy,	Washington.

HOUSE OF REPRESENTATIVES.

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COUNTY OF BERKSHIRE—CONCLUDED.

District	Town.	Name of Representative.	Residence.
5th,	{ Becket . . . }	Norman W. Shores .	Lee.
	{ Lee . . . }		
	{ Otis . . . }		
	{ Tyringham . . . }		
6th,	{ Richmond . . . }	Thomas Post . . .	Lenox.
	{ Lenox . . . }		
	{ Stockbridge . . . }		
	{ West Stockbridge . . . }		
7th,	{ Alford . . . }	Charles W. Ray . . .	Gt. Barrington.
	{ Egremont . . . }		
	{ Great Barrington . . . }		
	{ Monterey . . . }		
8th,	{ Mt. Washington . . . }	Orrin C. Whitbeck . . .	Mount Wash.
	{ New Marlborough . . . }		
	{ Sandisfield . . . }		
	{ Sheffield . . . }		

COUNTY OF NORFOLK.

1st,	{ Dedham . . . }	Thomas J. Baker . . .	Dedham.
	{ Norwood . . . }		
2d,	Brookline . . .	Rufus G. F. Candage,	Brookline.
3d,	Hyde Park . . .	Hobart M. Cable . . .	Hyde Park.
4th,	{ Milton . . . }	Frank M. Ames . . .	Canton.
	{ Canton . . . }		
5th,	{ Quincy . . . }	Charles H. Porter . . .	Quincy.
	{ Weymouth . . . }	N. D. Canterbury . . .	Weymouth.
		Francis A. Bicknell . . .	Weymouth.
6th,	{ Braintree . . . }	Edmund White . . .	Holbrook.
	{ Holbrook . . . }		
7th,	{ Randolph . . . }	David H. Blanchard,	Stoughton.
	{ Stoughton . . . }		
	{ Sharon . . . }		
	{ Walpole . . . }		
8th,	{ Franklin . . . }	Nathan A. Cook . . .	Bellingham.
	{ Foxborough . . . }		
	{ Wrentham . . . }		
	{ Bellingham . . . }		
	{ Medway . . . }		
		Samuel Warner . . .	Wrentham.

HOUSE OF REPRESENTATIVES.

COUNTY OF NORFOLK—CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
9th,	{ Needham . . . } { Dover . . . } { Medfield . . . } { Norfolk . . . } { Wellesley . . . }	Levi Mann . . .	Norfolk.

COUNTY OF BRISTOL.

1st,	{ Attleborough . . . } { Norton . . . } { Mansfield . . . }	John Whitehill . . . Austin Messinger . . .	Attleborough. Norton.
2d,	{ Easton . . . } { Raynham . . . }	Lincoln S. Drake . . .	Easton.
3d,	{ Taunton . . . } { Berkley . . . }	Charles T. Barnard . . . Charles A. Reed . . . Francis S. Babbitt . . .	Taunton. Taunton. Taunton.
4th,	{ Acushnet . . . } { Fairhaven . . . } { Freetown . . . }	Rufus A. Dunham . . .	Fairhaven.
5th,	{ New Bedford, Wards } { 1, 2, 3 . . . }	Orlando G. Robinson, . . . James A. Crowell . . .	New Bedford. New Bedford.
6th,	{ New Bedford, Wards } { 4, 5, 6 . . . }	A. Edwin Clarke . . . James R. Denham . . .	New Bedford. New Bedford.
7th,	{ Westport . . . } { Dartmouth . . . }	John W. Gifford . . .	Westport.
8th,	{ Fall River, Wards } { 1, 2, 3, 4 . . . }	George W. Billings . . . Frank W. Burr . . . John B. Whitaker . . .	Fall River. Fall River. Fall River.
9th,	{ Fall River, Wards } { 5, 6 . . . } { Somerset . . . }	James F. Davenport, . . . Job M. Leonard . . .	Fall River. Somerset.
10th,	{ Seekonk . . . } { Swanzy . . . } { Rehoboth . . . } { Dighton . . . }	Francis A. Horr . . .	Dighton.

COUNTY OF PLYMOUTH.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Hingham . . . } { Hull . . . }	Joseph Jacobs, jun. .	Hingham.
2d,	{ Cohasset . . . } { Scituate . . . } { South Scituate . . }	Alpheus Thomas .	So. Scituate.
3d,	{ Marshfield . . . } { Pembroke . . . } { Hanson . . . } { Halifax . . . }	George Baker . .	Marshfield.
4th,	{ Duxbury . . . } { Kingston . . . } { Plympton . . . } { Carver . . . }	Benj W. Robbins .	Carver.
5th,	Plymouth . .	Winslow W. Avery .	Plymouth.
6th,	{ Wareham . . . } { Rochester . . . } { Marion . . . } { Mattapoisett . . }	Noble W. Everett .	Wareham.
7th,	{ Middleborough . . } { Lakeville . . . }	John C. Sullivan .	Middleboro'.
8th,	{ Bridgewater . . . } { East Bridgewater . }	L. Watts Richards .	E. B'gewater.
9th,	{ Rockland . . . } { Hanover . . . }	R. C. Waterman .	Hanover.
10th,	{ Brockton . . . } { West Bridgewater . }	Davis S. Packard . Francis E. Howard .	Brockton. W. B'gewater.
11th,	{ Abington . . . } { South Abington . . }	William R. Vining .	So. Abington.

COUNTY OF BARNSTABLE.

1st,	{ Sandwich . . . } { Falmouth . . . }	Bradford B. Briggs .	Sandwich.
2d,	{ Barnstable . . . } { Mashpee . . . }	Francis D. Cobb .	Barnstable.

HOUSE OF REPRESENTATIVES.

COUNTY OF BARNSTABLE—CONCLUDED.

District.	Town.	Name of Representative.	Residence.
3d,	{ Yarmouth . . . } { Dennis . . . }	David Fisk . . .	Dennis.
4th,	{ Harwich . . . } { Chatham . . . }	Watson B. Kelley . .	Harwich.
5th,	{ Brewster . . . } { Orleans . . . } { Eastham . . . } { Wellfleet . . . }	John A. Clark . . .	Eastham.
6th,	{ Truro . . . } { Provincetown . . }	Atkins Hughes . . .	Truro.

COUNTY OF DUKES.

1st,	{ Chilmark . . . } { Cottage City . . . } { Edgartown . . . } { Gay Head . . . } { Gosnold . . . } { Tisbury . . . }	Tristram R. Holley . .	Edgartown.
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COUNTY OF NANTUCKET.

1st,	Nantucket . . .	Josiah Freeman . . .	Nantucket.
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GEORGE A. MARDEN *Clerk.*
DANIEL W. WALDRON *Chaplain.*
O. F. MITCHELL *Sergeant-at-Arms.*

JUDICIAL DEPARTMENT.

SUPREME JUDICIAL COURT.

CHIEF JUSTICE.

MARCUS MORTON *of Andover.*

ASSOCIATE JUSTICES.

WILLIAM C. ENDICOTT *of Salem.*
OTIS P. LORD *of Salem.*
WALBRIDGE A. FIELD *of Boston.*
CHARLES DEVENS *of Worcester.*
WILLIAM ALLEN *of Northampton.*
CHARLES ALLEN *of Boston.*

SUPERIOR COURT.

CHIEF JUSTICE.

LINCOLN F. BRIGHAM *of Salem.*

ASSOCIATE JUSTICES.

JULIUS ROCKWELL *of Lenox.*
ROBERT C. PITMAN *of Newton.*
JOHN W. BACON *of Natick.*
P. EMORY ALDRICH *of Worcester.*
WALDO COLBURN *of Dedham.*
WILLIAM S. GARDNER *of Newton.*
HAMILTON B. STAPLES *of Worcester.*
MARCUS P. KNOWLTON *of Springfield.*
CALEB BLODGETT *of Boston.*
ALBERT MASON *of Brookline.*

JUDGES OF PROBATE AND INSOLVENCY.

JOHN W. McKIM, Boston	SUFFOLK.
GEORGE F. CHOATE, Salem	ESSEX.
GEORGE M. BROOKS, Concord	MIDDLESEX.
ADIN THAYER, Worcester	WORCESTER.
WILLIAM G. BASSETT, Easthampton	HAMPSHIRE.
WILLIAM S. SHURTLEFF, Springfield	HAMPDEN.
CHESTER C. CONANT, Greenfield	FRANKLIN.
JAMES T. ROBINSON, North Adams	BERKSHIRE.
GEORGE WHITE, Newton	NORFOLK.
WILLIAM H. WOOD, Middleborough	PLYMOUTH.
EDMUND H. BENNETT, Taunton	BRISTOL.
HIRAM P. HARRIMAN, Wellfleet	BARNSTABLE.
JOSEPH T. PEASE, Edgartown	DUKES.
THADDEUS C. DEFRIEZ, Nantucket	NANTUCKET.

REGISTERS OF PROBATE AND INSOLVENCY.

ELIJAH GEORGE, Boston	SUFFOLK.
JEREMIAH T. MAHONEY, Salem	ESSEX.
JOSEPH H. TYLER, Winchester	MIDDLESEX.
CHARLES E. STEVENS, Worcester	WORCESTER.
LUKE LYMAN, Northampton	HAMPSHIRE.
SAMUEL B. SPOONER, Springfield	HAMPDEN.
FRANCIS M. THOMPSON, Greenfield	FRANKLIN.
EDWARD T. SLOCUM, Lee	BERKSHIRE.
JONATHAN COBB, Dedham	NORFOLK.
DANIEL E. DAMON, Plymouth	PLYMOUTH.
WILLIAM E. FULLER, Taunton	BRISTOL.
FREEMAN H. LOTHROP, Barnstable	BARNSTABLE.
HEBRON VINCENT, Edgartown	DUKES.
SAMUEL SWAIN, Nantucket	NANTUCKET.

DISTRICT ATTORNEYS.

OLIVER STEVENS, Boston	SUFFOLK.
WILLIAM B. STEVENS, Stoneham	NORTHERN.
EDGAR J. SHERMAN, Lawrence	EASTERN.
ASA FRENCH, Braintree	SOUTH-EASTERN.
HOSEA M. KNOWLTON, New Bedford	SOUTHERN.
FRANCIS T. BLACKMER, Worcester	MIDDLE.
ANDREW J. WATERMAN, Pittsfield	WESTERN.
DANIEL W. BOND, Northampton	NORTH-WESTERN.

SHERIFFS.

JOHN M. CLARK, Boston	SUFFOLK.
HORATIO G. HERRICK, Lawrence	ESSEX.
EBEN W. FISKE, Waltham	MIDDLESEX.
AUGUSTUS B. R. SPRAGUE, Worcester	WORCESTER.
HENRY A. LONGLEY, Northampton	HAMPSHIRE.
HIRAM Q. SANDERSON, Springfield	HAMPDEN.
GEORGE A. KIMBALL, Greenfield	FRANKLIN.
HIRAM B. WELLINGTON, Pittsfield	BERKSHIRE.
RUFUS C. WOOD, Dedham	NORFOLK.
ALPHEUS K. HARMON, Plymouth	PLYMOUTH.
ANDREW R. WRIGHT, Fall River	BRISTOL.
THOMAS HARRIS, Barnstable	BARNSTABLE.
FRANCIS C. SMITH, Edgartown	DUKES.
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CLERKS OF COURTS.

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[Congressional Districts established by Chap. 300, Acts of 1872, and Chap. 113, Acts of 1876.]

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Commonwealth of Massachusetts.

SECRETARY'S DEPARTMENT, BOSTON, July 21, 1882.

I certify that the Acts and Resolves contained in this volume are true copies of the originals, and that the accompanying papers are transcripts of official records and returns in this Department.

I further certify that the tables showing the changes made in the general statutes by the legislation of the present year have been prepared and are published as an appendix to this edition of the laws by direction of the Governor, in accordance with the provisions of chap. 238 of the Acts of 1882.

HENRY B. PEIRCE,

Secretary of the Commonwealth.

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APPENDIX.

[The following tables have been prepared by Jabez Fox, Esq., appointed to that duty under chapter two hundred and thirty-eight of the acts of the present year, which authorized the governor to appoint some person to prepare “tables showing what general statutes have been affected by subsequent legislation in such manner as to furnish ready reference to all changes in such statutes.”

The same act authorized the governor to “cause to be prepared suitable indexes to the legislation of the year;” but this work was left as usual with the secretary of the Commonwealth.]

A TABLE SHOWING WHAT PARTS OF THE PUBLIC STATUTES HAVE
BEEN AFFECTED BY SUBSEQUENT LEGISLATION.

CHAPTER 1.

OF THE JURISDICTION OF THE COMMONWEALTH AND PLACES CEDED
TO THE UNITED STATES.

SECT. 4. Amended by St. 1882, c. 131.

CHAPTER 2.

OF THE GENERAL COURT.

SECTS. 17, 18. Superseded by St. 1882, c. 257, §§ 2, 3.

SECT. 22. Superseded by St. 1882, c. 257, § 1.

SECT. 27. Amended by St. 1882, c. 257, § 4.

SECT. 34. Affected by St. 1882, c. 49.

CHAPTER 3.

OF THE STATUTES.

An act to define the meaning of the words "mayor and aldermen."
St. 1882, c. 164.

CHAPTER 4.

OF THE PRINTING AND DISTRIBUTION OF THE LAWS AND PUBLIC
DOCUMENTS.

An act to provide for the preparation of tables and indexes relating to
the statutes of the present year and subsequent years. St. 1882, c. 238.

SECT. 7. Amended by St. 1882, c. 6, § 1.

SECT. 10. Amended by St. 1882, c. 158.

CHAPTER 5.

OF THE STATE HOUSE, THE SERGEANT-AT-ARMS, AND THE STATE
LIBRARY.

The State Library.

SECT. 18. "Two thousand" substituted for "eighteen hundred."
St. 1882, c. 29.

SECT. 20. Repeal and substitute. St. 1882, c. 196.

CHAPTER 6.

OF THE QUALIFICATIONS AND REGISTRATION OF VOTERS.

An act relating to the correction of names upon tax bills and to the registration of voters in cities. St. 1882, c. 247.

An act to provide for the correction of omissions in the registration of voters. St. 1882, c. 268.

CHAPTER 7.

OF THE MANNER OF CONDUCTING ELECTIONS AND RETURNING VOTES.

An act concerning the correction of errors in copies of records of votes, and the publicity of election returns. St. 1882, c. 28.

An act to prevent the counting of detached "stickers," so called, as ballots. St. 1882, c. 260.

SECT. 29. Amended by St. 1882, c. 74.

CHAPTER 9.

OF THE ELECTION OF REPRESENTATIVES IN CONGRESS, AND ELECTORS OF PRESIDENT AND VICE-PRESIDENT.

SECTS. 1, 2. Superseded by St. 1882, c. 253.

CHAPTER 11.

OF THE ASSESSMENT OF TAXES.

SECT. 4. "Or indebtedness" substituted for "due" in sixth line. St. 1882, c. 76.

SECT. 5, cl. 3. Affected by St. 1882, c. 217, §§ 2, 4.

SECT. 14. Amended by St. 1882, c. 175.

SECT. 20. Amended by St. 1882, c. 165.

SECT. 38. Affected by St. 1882, c. 175; St. 1882, c. 217, §§ 1, 4.

SECT. 71. Amended by St. 1882, c. 218.

SECT. 90. See St. 1882, c. 217, § 3.

SECT. 91. Affected by St. 1882, c. 133, § 2.

SECT. 92. Affected by St. 1882, c. 252, § 5.

CHAPTER 12.

OF THE COLLECTION OF TAXES.

SECT. 39. Affected by St. 1882, c. 243, § 3.

SECT. 50. Affected by St. 1882, c. 243, §§ 1, 2.

CHAPTER 13.

OF THE TAXATION OF CORPORATIONS.

SECT. 6. Affected by St. 1882, c. 217, § 3.

SECT. 43. Affected by St. 1882, c. 106.

CHAPTER 14.
OF THE MILITIA.

- SECT. 23. Amended by St. 1882, c. 97.
SECT. 91. See Res. 1882, c. 15.
SECT. 127. Amended by St. 1882, c. 179.
SECT. 130. Amended by St. 1882, c. 178.

CHAPTER 15.

OF THE EXECUTIVE DEPARTMENT AND THE SECRETARY OF THE COMMONWEALTH.

The Secretary.

- SECT. 15. Repealed by St. 1882, c. 226, § 3.

CHAPTER 16.

OF THE AUDITOR, TREASURER, AND MATTERS OF FINANCE.

Act fixing value of pound sterling. St. 1882, c. 110.

The Treasurer and Receiver-General.

- SECT. 17. Affected by St. 1882, c. 111.

Matters of Finance.

- SECT. 60. Affected by St. 1882, c. 130.

CHAPTER 17.

OF THE ATTORNEY-GENERAL AND DISTRICT-ATTORNEYS.

An act to provide for the appointment of an assistant district-attorney for the eastern district. St. 1882, c. 157.

- SECT. 15. Eastern district. St. 1882, c. 156, 157. Assistants in Suffolk. St. 1882, c. 245, § 2.

CHAPTER 19.

OF THE BOARD OF HARBOR AND LAND COMMISSIONERS.

- SECT. 7. Harbor lines established at East Boston. St. 1882, c. 48. Harbor lines established at Gloucester. St. 1882, c. 103.

CHAPTER 20.

OF THE STATE BOARD OF AGRICULTURE.

- An act to establish an agricultural experiment station. St. 1882, c. 212.

TITLE VII.

OF TOWNS AND CITIES.

Act authorizing towns and cities to lay out public parks. St. 1882, c. 154.

An act authorizing towns and cities to provide for the preservation and reproduction of forests. St. 1882, c. 255.

CHAPTER 28.

OF CITIES.

An act to define the meaning of the words "mayor and aldermen." St. 1882, c. 164.

An act in relation to vacancies in the office of mayor. St. 1882, c. 182.

SECT. 7. Amended by St. 1882, c. 180.

CHAPTER 29.

OF MUNICIPAL INDEBTEDNESS.

SECT. 9. Annual proportionate payments instead of sinking fund. St. 1882, c. 133, § 1.

CHAPTER 40.

OF LIBRARY ASSOCIATIONS.

Law Libraries.

SECT. 6. "Two thousand" substituted for "fifteen hundred." St. 1882, c. 246.

CHAPTER 45.

OF SCHOOL DISTRICTS.

An act to abolish the school district system. St. 1882, c. 219.

CHAPTER 48.

OF THE EMPLOYMENT OF CHILDREN, AND REGULATIONS RESPECTING THEM.

An act relating to indigent and neglected children. St. 1882, c. 181.

An act for the better protection of children. St. 1882, c. 270.

CHAPTER 49.

OF THE LAYING OUT AND DISCONTINUANCE OF WAYS, AND OF DAMAGES OCCASIONED BY THE TAKING OF LAND FOR PUBLIC USES.

Act authorizing towns and cities to lay out public parks. St. 1882, c. 151.

An act to provide for determining the location of common landing places. St. 1882, c. 109.

SECT. 47. Affected by St. 1882, c. 96.

CHAPTER 52.

OF THE REPAIRS OF WAYS AND BRIDGES.

SECT. 19. Amended by St. 1882, c. 36.

CHAPTER 53.

OF REGULATIONS AND BY-LAWS RESPECTING WAYS AND BRIDGES.

An act to authorize county commissioners to control travel over bridges constructed or maintained in whole or in part by a county. St. 1882, c. 108.

CHAPTER 59.

OF THE INSPECTION AND SALE OF CERTAIN OILS.

SECT. 7. Amended by St. 1882, c. 250.

CHAPTER 65.

OF WEIGHTS AND MEASURES.

SECT. 8. "Mayor and aldermen" substituted for "city council." St. 1882, c. 42.

CHAPTER 69.

OF SHIPPING AND SEAMEN, HARBORS AND HARBOR MASTERS.

Harbors and Harbor Masters.

An act in relation to assistant harbor masters. St. 1882, c. 216.

CHAPTER 70.

OF PILOTS AND PILOTAGE.

An act authorizing the appointment of additional pilots for ports other than the port of Boston. St. 1882, c. 174.

CHAPTER 74.

OF THE EMPLOYMENT OF LABOR.

Employers to provide seats for female employees. St. 1882, c. 150.

CHAPTER 77.

OF MONEY, BONDS, BILLS OF EXCHANGE, PROMISSORY NOTES, AND CHECKS.

SECTS. 1, 2. Act fixing value of pound sterling. St. 1882, c. 110.

SECT. 8. Amended by St. 1882, c. 49.

CHAPTER 80.
OF THE PRESERVATION OF THE PUBLIC HEALTH.

Protection of Infants.

SECT. 60. See St. 1882, c. 270, § 3.

CHAPTER 84.
OF THE SUPPORT OF PAUPERS BY CITIES AND TOWNS.

Act giving towns a remedy against pauper for his support. St. 1882, c. 113.

CHAPTER 86.
OF ALIEN PASSENGERS AND STATE PAUPERS.

Children.

State board of health, lunacy, and charity to provide for indigent and neglected children not having settlement. St. 1882, c. 181, §§ 2-4.

SECT. 46. "Three" substituted for "two" in sixth line. St. 1882, c. 181, § 1.

CHAPTER 89.
OF THE STATE PRIMARY AND REFORM SCHOOLS, AND THE VISITATION
AND REFORMATION OF JUVENILE OFFENDERS.

State board of health, lunacy, and charity to provide for indigent and neglected children not having settlement. St. 1882, c. 181.

SECT. 18. Summons to be issued to children under twelve. St. 1882, c. 127, § 3.

SECTS. 21, 26-29. Children under twelve not to be committed to jail for punishment or in default of bail. St. 1882, c. 127.

CHAPTER 91.
OF INLAND FISHERIES AND KELP.

An act relative to fishing in the Merrimaek River. St. 1882, c. 166.

An act for the protection of traps, trawls, and seines. St. 1882, c. 53.

Acts concerning fisheries in Edgartown. St. 1882, c. 65; St. 1882, c. 102.

SECTS. 81, 82. Amended by St. 1882, c. 98.

CHAPTER 92.
OF THE PRESERVATION OF CERTAIN BIRDS AND OTHER ANIMALS.

SECTS. 8, 10. Amended by St. 1882, c. 199.

CHAPTER 94.
OF TIMBER AFLOAT OR CAST ON SHORE.

SECT. 5. Affected by St. 1882, c. 274.

CHAPTER 100.
OF INTOXICATING LIQUORS.

An act to prohibit the granting of licenses for the sale of intoxicating liquors within a certain distance of public schools. St. 1882, c. 220.

An act to fix the hours of closing premises occupied by common victualers. St. 1882, c. 242.

An act to regulate the inspection and analysis of intoxicating liquors. St. 1882, c. 221.

SECT. 6. Amended by St. 1882, c. 222.

SECTS. 12, 13. Amended by St. 1882, c. 259.

CHAPTER 102.
OF LICENSES AND MUNICIPAL REGULATIONS OF POLICE.

Rockets, Gunpowder, Explosive Compounds, etc.

An act concerning the sale or use of toy pistols and other dangerous articles. St. 1882, c. 272.

An act to provide for notice of the place of storage of gunpowder and other explosive compounds. St. 1882, c. 269.

General Provisions.

SECT. 124. Amended by St. 1882, c. 258.

CHAPTER 103.
OF DISTRICT AND OTHER POLICE OFFICERS.

SECT. 10. Amended by St. 1882, c. 266, § 6.

CHAPTER 104.
OF THE INSPECTION OF BUILDINGS.

SECT. 14. Amended by St. 1882, c. 208.

SECTS. 15, 20, 22-24. Amended by St. 1882, c. 266.

CHAPTER 112.
OF RAILROAD CORPORATIONS AND RAILROADS.

Organization under the General Law.

An act relative to the establishment of railroad corporations. St. 1882, c. 265.

Embankments, Fences, etc.

SECT. 115. Amended by St. 1882, c. 162.

Crossings.

SECTS. 129, 138. Appeal from county commissioners to railroad commissioners. St. 1882, c. 135.

Equipment of Engines, Cars, Trains, etc.

Act requiring cars to be furnished with tools and safeguards against fire. St. 1882, c. 54.

An act to provide for the testing of locomotive boilers. St. 1882, c. 73.

SECT. 171. Amended by St. 1882, c. 54, § 1.

Transportation of Merchandise.

Act to prevent discrimination in freight rates. St. 1882, c. 94, amended by St. 1882, c. 225.

Offences and Penalties.

SECT. 205. Amended by St. 1882, c. 54, § 2.

CHAPTER 115.

OF ASSOCIATIONS FOR CHARITABLE, EDUCATIONAL, AND OTHER PURPOSES.

An act to authorize the formation of relief societies by the employes of railroad and steamboat corporations. St. 1882, c. 244.

Act relating to beneficiary associations. St. 1882, c. 195.

SECT. 8. Amended by St. 1882, c. 195, § 2.

SECT. 11. Amended by St. 1882, c. 195, § 3.

CHAPTER 116.

OF SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS.

An act to provide for the custody of books and papers of insolvent banks. St. 1882, c. 77.

Commissioners of Savings Banks.

SECT. 2. Salaries of clerks increased. St. 1882, c. 148.

Deposits, Loans, and Investments.

SECT. 10. Additional investments authorized. St. 1882, c. 231.

SECT. 20, cl. 1. Affected by St. 1882, c. 224.

SECT. 20, cl. 8. Affected by St. 1882, c. 200.

SECTS. 21-23. Names of members of board of investment to be published. St. 1882, c. 50.

CHAPTER 117.

OF CO-OPERATIVE SAVING FUND AND LOAN ASSOCIATIONS.

SECTS. 8, 9. Amended by St. 1882, c. 251, § 1.

SECT. 10. Affected by St. 1882, c. 251, § 2.

SECT. 16. Amended by St. 1882, c. 251, § 1.

CHAPTER 125.

OF THE DESCENT OF REAL ESTATE.

SECT. 4. Amended by St. 1882, c. 132.

CHAPTER 135.

OF ALLOWANCES TO WIDOWS AND CHILDREN, AND OF THE DISTRIBUTION OF THE ESTATES OF INTESTATES.

SECT. 3. Distribution of personal estate of married women. St. 1882, c. 141.

CHAPTER 146.

OF DIVORCE.

An act concerning statistics of divorce. St. 1882, c. 194.

SECT. 19. Amended by St. 1882, c. 223.

CHAPTER 152.

OF THE SUPERIOR COURT.

SECT. 28. Repeal and substitute. St. 1882, c. 205.

CHAPTER 153.

OF MATTERS COMMON TO THE SUPREME JUDICIAL COURT AND SUPERIOR COURT.

SECT. 13. Affected by St. 1882, c. 239.

CHAPTER 154.

OF POLICE, DISTRICT, AND MUNICIPAL COURTS.

An act to establish the third and fourth district courts of Eastern Middlesex, and the police courts of Marlborough and Brookline. St. 1882, c. 233.

An act to establish the district court of Hampshire. St. 1882, c. 227.

An act providing for a clerk of the police court of Chelsea. St. 1882, c. 176.

SECT. 2. Hopkinton taken from district of first district court of Southern Middlesex. St. 1882, c. 169.

Appeals.

SECT. 39. Bond substituted for recognizance in appeals. St. 1882, c. 95.

Municipal Courts.

SECT. 42. Amendment allowing interchange of duties. St. 1882, c. 43.
Winthrop included in district of East Boston municipal court. St. 1882, c. 146.

The Municipal Court of the City of Boston.

SECT. 55. Number of associate justices increased to three. St. 1882, c. 41, § 1.

Salaries.

Central Berkshire. St. 1882, c. 245, § 1.
Boston. St. 1882, c. 41, § 2; St. 1882, c. 245, § 1.
Brookline. St. 1882, c. 233, § 6.
Chelsea. St. 1882, c. 176, § 3.
East Boston. St. 1882, c. 245, § 1.
First Essex. St. 1882, c. 245, § 1.
Fitchburg. St. 1882, c. 245, § 1.
Hampshire. St. 1882, c. 227, § 2.
Haverhill. St. 1882, c. 245, § 1.
Lowell. St. 1882, c. 63.
Marlborough. St. 1882, c. 233, § 6.
First of Eastern Middlesex. St. 1882, c. 87; St. 1882, c. 245, § 1.
Third and fourth of Eastern Middlesex. St. 1882, c. 233, § 6.
Newburyport, Roxbury, Somerville, South Boston, Central of Worcester, Second of Eastern Worcester, Third of Southern Worcester. St. 1882, c. 245, § 1.

CHAPTER 155.

OF JUSTICES OF THE PEACE AND TRIAL JUSTICES.

SECT. 49. Children under twelve not to be sent to jail, etc. St. 1882, c. 127, § 1.

CHAPTER 158.

OF JUDGES AND REGISTERS OF PROBATE AND INSOLVENCY.

Salaries and Fees.

Middlesex, judge. St. 1882, c. 129.
Suffolk, assistant register. St. 1882, c. 144.

CHAPTER 159.

OF CLERKS, ATTORNEYS, AND OTHER OFFICERS OF JUDICIAL COURTS.

Attorneys-at-Law.

Women allowed to practise law. St. 1882, c. 139.

Deputy Sheriffs and other Officers in Attendance upon Courts.

SECT. 68. Affected by St. 1882, c. 232.

SECT. 69. Affected by St. 1882, c. 245, § 3.

CHAPTER 160.

SPECIAL PROVISIONS RESPECTING COURTS AND THE ADMINISTRATION
OF JUSTICE.

SECT. 4. Affected by St. 1882, c. 49.

CHAPTER 167.

OF PLEADINGS AND PRACTICE.

*Hearing, Trial, Evidence.*One of several shire towns may be designated for trial of case. St. 1882,
c. 264, § 2.

CHAPTER 169.

OF WITNESSES AND EVIDENCE.

SECTS. 7, 8. Amended by St. 1882, c. 267.

SECT. 54. Amended by St. 1882, c. 140.

CHAPTER 176.

OF PETITIONS FOR THE SETTLEMENT OF TITLE.

Act providing for settlement of title when undischarged mortgage ap-
pears of record. St. 1882, c. 237.

CHAPTER 178.

OF THE PARTITION OF LANDS.

SECT. 51. Amended by inserting "newspaper or." St. 1882, c. 55

SECT. 63. Amended by St. 1882, c. 6, § 2.

CHAPTER 181.

OF THE FORECLOSURE AND REDEMPTION OF MORTGAGES.

Foreclosure by Sale.

SECT. 17. Amended by St. 1882, c. 75.

CHAPTER 185.

OF HABEAS CORPUS AND PERSONAL REPLEVIN.

Habeas Corpus.

SECT. 18. Amended by St. 1882, c. 6, § 3.

CHAPTER 187.

OF WRITS OF ERROR, AND WRITS OF AND PETITIONS FOR REVIEW.

Writs of and Petitions for Review.

SECT. 39. Amended by St. 1882, c. 249.

CHAPTER 198.

OF COSTS IN CIVIL ACTIONS.

SECT. 25. Superseded by St. 1882, c. 235.

SECT. 28. Changed as to term fees by St. 1882, c. 264.

CHAPTER 199.

OF THE FEES OF CERTAIN OFFICERS.

SECT. 6. An act fixing fees of officers for summoning witnesses in criminal cases. St. 1882, c. 215.

CHAPTER 203.

OF OFFENCES AGAINST PROPERTY.

An act relating to the illegal taking and using of horses and carriages. St. 1882, c. 236.

An act for the protection of forests against fires. St. 1882, c. 163.

CHAPTER 208.

OF OFFENCES AGAINST THE PUBLIC HEALTH.

An act relating to the adulteration of food and drugs. St. 1882, c. 263.

CHAPTER 212.

OF SEARCH WARRANTS, REWARDS, ARREST, EXAMINATION, COMMITMENT, BAIL, AND PROBATION.

Arrest, Examination, Commitment, and Bail.

Special provisions for arrest and bail of children under twelve. St. 1882, c. 127.

SECT. 68. Repeal and substitute. St. 1882, c. 134.

Probation Officers.

SECT. 78. Amended by St. 1882, c. 125.

CHAPTER 215.

OF JUDGMENT AND EXECUTION.

Convicts may be sent to jail instead of house of correction, etc. St. 1882, c. 241, § 1.

SECT. 48. Right to imprison children under twelve restricted. St. 1882, c. 127, § 1.

CHAPTER 218.

OF FUGITIVES FROM JUSTICE, AND PARDONS.

Pardons.

SECT. 14. Amended by St. 1882, c. 197.

CHAPTER 219.

OF THE COMMISSIONERS OF PRISONS.

An act to provide for the surgical treatment of certain prisoners. St. 1882, c. 207.

SECT. 4. Transfer of prisoners from jail to house of correction. St. 1882, c. 241, § 2.

Reports and Returns.

An act in relation to blanks for certain court returns, and to reports of arrests. St. 1882, c. 226.

SECT. 36. Repealed. St. 1882, c. 226, § 3.

CHAPTER 220.

OF JAILS AND HOUSES OF CORRECTION.

SECT. 2. Transfer of prisoners from jail to house of correction. St. 1882, c. 241, § 2.

SECT. 49. Amended by St. 1882, c. 6, § 4.

SECT. 50. An act to punish prisoners escaping from custody when employed outside of their places of confinement. St. 1882, c. 198.

CHAPTER 221.

OF THE STATE PRISON AND THE REFORMATORY PRISON FOR WOMEN.

Officers and Salaries.

SECT. 6. Repeal and substitute. St. 1882, c. 203, § 1.

SECT. 8. Amended by St. 1882, c. 203, § 2.

SECT. 11. Repeal and substitute. St. 1882, c. 203, §§ 3, 4.

CHAPTER 222.

SPECIAL PROVISIONS CONCERNING PENAL AND OTHER PUBLIC INSTITUTIONS.

SECT. 17. Amended by St. 1882, c. 201.

A TABLE SHOWING THE SUBJECTS OF LEGISLATION IN 1882 WITH
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to have jurisdiction over land purchased for United States fish and fisheries commission, amending P. S. c. 1, § 4 St. 1882, c. 131

VOTERS.
See REGISTRATION OF VOTERS.

VOTING LIST.
See CHECK LIST.

WAY.

notice of injury received on, amend-
ing P. S. c. 52, § 19 . . . St. 1882, c. 36

WITNESSES.

before board of police commission-
ers, amending P. S. c. 169, §§ 7, 8,
St. 1882, c. 267

fees for summoning, in criminal
cases, affecting P. S. c. 199, § 6,
St. 1882, c. 215

WOMEN.

may practise law, relating to P. S.
c. 159, § 34 . . . St. 1882, c. 139
employed in factories, shops, etc., to
have seats, relating to P. S. c. 74,
St. 1882, c. 150

See MARRIED WOMAN.



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