

court, or whenever he is unable to attend such grand jury for any cause whatever.

SECT. 11. The attorney general shall hold his office for the term of five years from the date of his commission, unless sooner removed by the governor and council. Term of office.

SECT. 12. The attorney general shall receive a salary of two thousand five hundred dollars a year, to be paid out of the treasury of the Commonwealth in equal quarterly payments, in full of all services rendered by him in said office. Salary.

SECT. 13. All acts and parts of acts inconsistent with this act are hereby repealed. Repeal.

SECT. 14. This act shall take effect from and after its passage. [*Approved by the Governor, May 1, 1849.*]

An Act in addition to "An Act for supplying the City of Boston with Pure Water."

*Chap 187.*

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

1846, ch. 167.

SECT. 1. In addition to the notes, scrip, or certificates of debt, authorized to be issued by the ninth section of the act entitled "An Act for supplying the city of Boston with pure water," passed on the thirtieth day of March, in the year one thousand eight hundred and forty-six, being chapter one hundred and sixty-seven of the acts of that year, the city council of the city of Boston are hereby authorized to issue, from time to time, notes, scrip, or certificates of debt, to be denominated, on the face thereof, "Boston Water Scrip," to an amount not exceeding, in the whole, the further sum of one million five hundred thousand dollars, for the same purposes, and in the same manner, and upon the terms and conditions specified in said section.

Additional notes, scrip, or certificates of debt may be issued by city council of Boston.

SECT. 2. Whenever any damages shall have been sustained by any persons in their property, by the taking of any land, water, or water-rights, or by the constructing of any aqueducts, reservoirs, or other works, for the purposes of this act, and of the act to which this is in addition, and such persons shall neglect to institute proceedings against the city of Boston, according to the provisions of the said act, for the space of five months, it shall be lawful for the city of Boston to commence such proceedings, which shall go on, and be determined, in the same manner as if commenced by the persons who shall have sustained such damage; and, if such persons, on receiving due notice, shall not come in and prosecute the proceedings so instituted, judgment shall be entered against them, and they shall be forever barred from recovering any damages under said act.

Of proceedings for damages done to individuals, how prosecuted;

—how barred.

Water of Long Pond may be conveyed to East Boston through Charlestown and Chelsea.

Of conveying water over or under tide-waters ;

*proviso*, appointment of commissioner and consent of city council.

This act to be accepted by city council.

SECT. 3. The city of Boston is hereby authorized to convey the water of Long Pond to, into, and through, that part of Boston called East Boston, by laying their aqueduct, or water pipes, through the city of Charlestown and town of Chelsea ; and, for that purpose, may have all the rights and privileges, and shall be subject to all the liabilities, mentioned in the act to which this is in addition. And the said city of Boston may make any suitable structures for the purpose of conveying the said water over or under the tide waters within the jurisdiction of this Commonwealth, provided that such structures shall be approved of by a commissioner, to be appointed for that purpose by the governor and council, and to be compensated by the city of Boston : *provided, further*, that the authority granted by this section shall not be exercised without the consent of the city council of said city first had and obtained.

SECT. 4. This act shall not take effect unless accepted by the city council of the city of Boston. [*Approved by the Governor, May 1, 1849.*]

*Chap 188.* An Act authorizing Abel Fitz, John Wesson, and John Gary, to extend their Wharves in Charlestown.

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

Location of wharves to be extended.

Abel Fitz, John Wesson, and John Gary, proprietors of a wharf, or wharves, situate in Charlestown, in the county of Middlesex, between the Warren Bridge and the adjoining wharf and flats of Rhoades G. Lockwood, and others, are authorized to extend and maintain their said wharves, upon, and into, that part of the channel, or harbor, which lies between said Warren Bridge and a line drawn parallel with the eastern boundary of Warren or Boston Avenue, and the line of said boundary continued south, in the same direction, and distant seventy-one feet easterly therefrom, as far as the line established by the act entitled "An Act concerning the Harbor of Boston," passed March seventeenth, in the year one thousand eight hundred and forty, or may hold, use, and enjoy the same, in part for the extension of their said wharves, and in part for a dock connected therewith, as they may, at any time, see fit, and shall have the right to lay vessels at the ends of their said wharves, and receive wharfage and dockage therefor : *provided, however*, that this grant shall not be construed to extend to any flats or land of this Commonwealth lying in front of the flats of any other person, or which would be comprehended by the true lines of such flats continued to

1840, ch. 35.

*Proviso.*