

Chap. 181 AN ACT CONCERNING A CONTRACT BETWEEN THE STONY BROOK RAILROAD CORPORATION AND THE NASHUA AND LOWELL RAILROAD CORPORATION.

Be it enacted, &c., as follows :

Stony Brook Railroad may alter contract with Nashua and Lowell Railroad.

SECTION 1. The Stony Brook Railroad Corporation is hereby authorized to alter, extend and amend the contract existing with the Nashua and Lowell Railroad Corporation for the leasing of the railroad of the said Stony Brook Railroad Corporation, dated the second day of April, in the year eighteen hundred and sixty: *provided*, that such alteration, extension or amendment, be ratified and confirmed by the stockholders of said corporations, at meetings of said corporations, respectively, duly called for the purpose; and *provided, further*, that such contract shall not be extended beyond the first day of January, in the year eighteen hundred and ninety.

Provisos.

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

Approved May 4, 1868.

Chap. 182 AN ACT GIVING ADDITIONAL POWERS TO THE JAMAICA POND AQUEDUCT CORPORATION.

Be it enacted, &c., as follows :

Jamaica Pond Aqueduct Company may take land, enlarge Spring Pond and build dam.

SECTION 1. The Jamaica Pond Aqueduct Corporation is hereby authorized and empowered, for the purpose of better supplying fresh water, and for saving and restraining the water that may percolate from Jamaica Pond, into what was formerly known as Spring Pond, in land now owned by said corporation, to take, hold or purchase any land near, or adjoining said land, now owned by said corporation, on the the northerly side of Perkins Street, and easterly side of Chesnut Street, and may enlarge said pond, formerly called Spring Pond, and raise a dam on said land taken or purchased, to such height as may best serve to save and restrain the water now running to waste from said Spring Pond, the better to save and supply fresh water from said Spring Pond for aqueduct purposes; but the said corporation are not authorized by this act to take land within fifty feet of any part of the stream that flows from the western side of Pond Avenue, or Chesnut Street: *provided*, that the water of said pond shall never be drawn down lower than one foot in the shallowest part, except for the purpose of repairs of the dam, or clearing out the pond.

Condition.

SECTION 2. If any person or persons; or corporation, whose land or water, or water-rights, shall be taken or injured by the Jamaica Pond Aqueduct Corporation under this act, cannot agree with said aqueduct corporation upon the amount of damages to be paid for such taking or injury,

Parties aggrieved may petition superior court for jury to assess damages.

the owner or owners of any such land, water or water-rights, may apply for a jury to assess such damages, by petition to the superior court for Norfolk county, at any time within three years after such taking or injury. Such petition shall be filed in term time or vacation, in the office of the clerk of the courts, who shall thereupon issue a summons, returnable at the next term of the court, if in vacation, or if in term time, on such day as the court may order. Such summons shall be served by copy on the president of the Jamaica Pond Aqueduct Corporation, at least fourteen days before the return day, and the cause shall thereupon proceed like other civil causes in said court. And the said Jamaica Pond Aqueduct Corporation shall, within six weeks after taking any land under the provisions of this act, file in the registry of deeds for Norfolk county, a description of the land so taken, sufficiently accurate for identification.

Petition to be filed, and summons to issue.

How summons to be served.

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

Land to be taken within two years.

SECTION 3. This act shall be void, so far as it gives the right to take land, water or water-rights, unless the same shall have been taken within two years from the passage of this act.

Approved May 8, 1868.

AN ACT IN RELATION TO THE OVERSEERS OF THE POOR OF THE CITY OF BOSTON.

Chap. 183

Be it enacted, &c., as follows:

The Overseers of the Poor in the City of Boston, a corporation duly established by law, are hereby authorized to hold personal estate not exceeding the amount of three hundred thousand dollars, in addition to the amount authorized by an act passed on the twenty-fifth day of April, in the year seventeen hundred and seventy-two, entitled "An Act for incorporating the Overseers of the Poor in the town of Boston;" and the overseers of the poor in the city of Boston, acting by virtue of the sixth chapter of the acts of the year eighteen hundred and three, entitled An Act to incorporate Oliver Wendell and others, together with the overseers of the poor of the town of Boston for the time being, by the name and title of "The trustees of John Boylston's charitable donations for the benefit and support of aged poor persons, and of orphans and deserted children," are further authorized to hold personal estate not exceeding the value of one hundred thousand dollars, in addition to the amount authorized by said last named act.

\$300,000 additional personal estate.

Trustees of John Boylston's donations may hold \$100,000 additional personal estate.

Approved May 8, 1868.