

AN ACT authorizing the Boston and Worcester Railroad Corporation to change the location of a portion of their road, and for other purposes. *Chap. 136*

Be it enacted, &c., as follows :

SECTION 1. The Boston and Worcester Railroad Corporation are hereby authorized and empowered to change the location of that portion of their road which lies between the Brighton Station, so called, on the line of said road, and the point of the intersection of said road with the boundary line between the towns of Brighton and Newton, or of any part or parts of said portion, by locating, constructing and maintaining a railroad between said points, or for any part or parts of the distance between said points, in such manner and over such land as the directors of said corporation may deem expedient. Location changed

SECTION 2. The location of the railroad hereby authorized to be constructed shall be filed within one year, but said railroad may be constructed at any time within two years. Location filed.

SECTION 3. Such change shall not waive or impair any rights or interests said corporation now have; and said corporation may retain or discontinue any part of their present road between said points, which they shall deem it expedient to release or to discontinue. Rights of corporation.

SECTION 4. In regard to locating, constructing and maintaining the railroad hereby authorized to be constructed, said corporation shall have all the rights and privileges, and be subject to all the duties, liabilities and restrictions, given and imposed by their charter, or by the special acts in relation to said corporation, or by the general laws at any time in force, in relation to railroads. Privileges, restrictions, &c.

SECTION 5. All persons who shall sustain any damage in their property by locating, constructing or maintaining said railroad, shall have all the remedies provided by law for persons whose land or other property is taken for the construction and maintenance of railroads. [*Approved May 9, 1857.*] Damages.

AN ACT relating to the Roxbury Gas-Light Company.

Chap. 137

Be it enacted, &c., as follows :

SECTION 1. The Roxbury Gas-Light Company is hereby authorized to lay pipes through Seaver Street, in the town of West Roxbury, and to furnish gas to the owners or occupants of all buildings on the West Roxbury side of said street, until such time as the Jamaica Plain Gas-Light Company shall give notice, in writing, to the said Roxbury Gas-Light Company, of their readiness to furnish gas to said May lay pipes and furnish gas, in West Roxbury.

owners or occupants : and the said Roxbury Gas-Light Company shall have the right to continue and maintain their pipes in said street, for the purpose of supplying gas to the inhabitants on the Roxbury side of said street, and any street lamps on the northerly side thereof.

May open ground sink pipes, &c.

SECTION 2. The said Roxbury Gas-Light Company, with the consent of the selectmen of the town of West Roxbury, shall have power and authority to open the ground in any part of said Seaver Street, in said town, for the purpose of sinking and repairing such pipes and conductors, as it may be necessary to sink for the purposes aforesaid ; and the said company, after opening the ground in said street, shall be held to put the same again in repair, under the penalty of being prosecuted for a nuisance : *provided, however*, that said selectmen, for the time being, shall, at all times, have the power to regulate, restrict and control the acts and doings of said company, which may in any manner affect the health, safety or convenience of the inhabitants of said town.

Proviso.

SECTION 3. This act shall take effect from and after its passage. [*Approved May 9, 1857.*]

Chap. 138

AN ACT concerning the Brush Hill Turnpike Corporation.

Be it enacted, &c., as follows :

Road and franchises surrendered

SECTION 1. The surrender of that portion of the road and franchise of the Brush Hill Turnpike Corporation, which is within the limits of the town of Milton, and of any right of said corporation therein, is hereby accepted, and said corporation is discharged from the liability to maintain and keep said road in repair ; and the said road may be laid out as a highway or town way, without any rights on the part of said corporation to compensation or damages therefor : and until the same shall be laid out as aforesaid, the said town shall give notice that the same is not a public way.

Rights under previous statutes not to be affected.

SECTION 2. Nothing in this act contained shall affect any rights accruing or to accrue under or by virtue of the provisions of the seventeenth section of the thirty-ninth chapter of the Revised Statutes ; but the proprietors of lands abutting on said way, or over which said way passes, are not to be entitled to any additional damages or compensation upon the laying out of the same as a town way or highway, other than such as may be recoverable under the provisions of said seventeenth section. [*Approved May 9, 1857.*]