

certificates thereof to any person whatever, unless the par value of the shares so issued is first paid in cash to the treasurer of said corporation.

Certificates void if issued in violation.
Penalty on directors.

SECTION 2. All certificates of stock issued in violation of the provisions of this act, shall be void ; and the directors of any such corporation issuing the same shall be liable to a penalty of one thousand dollars each, to the use of the Commonwealth, to be recovered by indictment in any county where any of said directors reside : *provided*, that if any such director shall prove that previous to such issue he filed his dissent in writing thereto with the clerk of said corporation, or was absent, and at no time voted therefor, he shall not be liable for the same.

Proviso.

Repeal.

SECTION 3. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

Approved June 5, 1868.

Chap. 311 AN ACT IN ADDITION TO AN ACT TO REGULATE THE SALE OF INTOXICATING LIQUORS.

Be it enacted, &c., as follows :

Election required by chapter 141, Acts of 1868, held in June.

SECTION 1. The election required by section three of chapter one hundred and forty-one of the acts of the year eighteen hundred and sixty-eight, entitled an act to regulate the sale of intoxicating liquors, to be held on the third Tuesday of May, shall be held on any day in the month of June of the current year, anything in said act to the contrary notwithstanding.

County commissioners to receive \$3 a day when engaged as license commissioners.

SECTION 2. The county commissioners of the several counties shall receive in addition to their present salaries at the rate of three dollars per day, for each and every day when engaged as license commissioners under said chapter one hundred and forty-one of said acts of the current year, to be paid from the county treasury.

Repeal.

SECTION 3. The sixth section of the act referred to in the first section of this act is hereby amended by striking out "third Monday of May" and inserting "any day in the month of June of the current year."

Repeal.

SECTION 4. The fourth clause of the fourth section of the act referred to in the first section of this act is hereby repealed : *provided, however*, that licenses may be granted for the sale of beer, ale, porter and cider, to be drunk on the premises, for which a fee of fifty dollars for each license shall be paid : persons holding such licenses to be subject to the taxes and all other obligations and duties applicable to them under the said act.

License for sale of beer, &c., to be drunk on the premises.

Punishment by fine and imprisonment, or either

SECTION 5. Sections four, sixteen and eighteen of said chapter one hundred and forty-one, are hereby so far amended

that in the sentences therein provided, the court may inflict the punishment of imprisonment without the fine, or fine without imprisonment, or both, at its discretion.

SECTION 6. The tenth section of the act referred to in the first section of this act is hereby amended by striking out the word "licensed" immediately before the words "medical practitioner" and inserting in the place thereof the word "regular," and by striking out the words "out and signed." Amendments.

SECTION 7. This act shall take effect upon its passage.

Approved June 5, 1868.

AN ACT AUTHORIZING THE CAPE COD RAILROAD COMPANY TO CONSTRUCT A WALL ACROSS COHASSET NARROWS.

Chap. 312

Be it enacted, &c., as follows:

SECTION 1. The Cape Cod Railroad Company are hereby authorized to construct and maintain a sea-wall across Cohasset Narrows, between the towns of Sandwich and Wareham, at the place where the railroad of said company crosses said narrows: *provided*, that all things done under this act shall be subject to the determination and approval of the fish commission, and that such fishways be constructed as they may direct; and *provided, further*, that the railroad company shall make or provide a suitable landing for any or all wood which may at any season of the year be brought from above the said sea-wall to Cohasset Narrows for shipment, and shall provide a suitable wharf below the sea-wall, with proper facilities for placing said wood upon the same, without cost to the owner for the use of such facilities; and that the railroad company shall transport to the said wharf below the sea-wall, (in lots of not less than twenty-five cords each, except so far as the railroad company shall elect,) all wood which may be landed upon the wharf at the head of Buttermilk Bay for shipment, at such charge for transportation as may be agreed upon between the parties; and in case said parties fail to agree, three commissioners shall be appointed by the superior court sitting in and for the county of Plymouth or Barnstable, upon the petition of any party interested, who shall fix the same; the railroad company to pay the expense of such commission; and *provided, further*, that if the Boston and Sandwich Glass Company or any person interested in a wharf within half a mile below said wall, shall at any time claim that the building of the sea-wall authorized by this act injures the navigation by causing a shallowing of water or the forming of bars or like obstructions, commissioners appointed in the manner provided in this act shall decide whether any such injury is caused by such building, and shall determine what, if any, dredging or other clear-

May construct sea-wall across Cohasset Narrows.

Proviso.

Railroad to provide a suitable landing for wood.

Commissioners to be appointed if parties fail to agree.

Provision in case damage is done to wharves below sea-wall.