

for this purpose the real estate of any person may be taken. The proceedings shall be the same in all respects as in laying out of town ways; and all persons suffering damage in their property by reason thereof, shall have the same rights and remedies for the ascertainment and recovery of such damages as in the case of the laying out of town ways.

Damages.

Drains and sewers of Boston may be extended into the new channel.

SECTION 2. Drains and sewers of the city of Boston now discharging into Muddy River above the point at which the boundary line between Boston and Brookline, running from Charles River southerly along the easterly line of Saint Mary's Street extended, strikes the present channel of Muddy River, may be extended by said city through any lands or ways in said city or town into the new channel provided for by this act, the cost of such extension to be reimbursed to said city by said town; and said city shall have the right to enter new drains or sewers through said lands or ways into the new channel to the same extent that it now has the right to enter the same into the present channel of Muddy River.

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

*Approved May 2, 1873.*

*Ch.* 261. AN ACT TO AUTHORIZE TRIALS IN THE SUPERIOR COURT INSTEAD OF BEFORE SHERIFFS' JURIES.

*Be it enacted, &c., as follows:*

A jury may be had in the superior court in all cases where a sheriff's jury may be had.

SECTION 1. In all cases in which it is provided by law that a sheriff's jury may be had for any purpose, application for a jury may be made by petition to the superior court; and thereupon, after such notice as said court shall order to the adverse party or parties, a trial may be had at the bar of said court, in the same manner other civil cases are there tried by jury.

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

*Approved May 2, 1873.*

*Ch.* 262. AN ACT CONCERNING TRUANT CHILDREN AND ABSENTEES FROM SCHOOL.

*Be it enacted, &c., as follows:*

Needful provisions to be made by cities and towns concerning habitual truants.

SECTION 1. Each city and town shall make all needful provisions and arrangements concerning habitual truants and children between the ages of seven and fifteen years who may be found wandering about in the streets or public places of such city or town, having no lawful occupation or business, not attending school, and growing up in ignorance, and shall also, make such by-laws as shall