

fails to agree with said city shall be assessed in the same manner as is provided by law with respect to land taken for highways. A vote of the city council to take said waters in accordance with the provisions of this section shall be construed and deemed to be an entry upon and taking of the same by the city of Lynn; and thereupon the provisions of this act relating to the corporation aforesaid shall be null and void.

Rights to cut ice not to be impaired.

SECTION 7. Nothing contained in this act shall be construed to impair any existing rights of any person or party, to cut and take ice from either of said ponds.

SECTION 8. This act shall take effect upon its passage.

*Approved June 2, 1874.*

*Ch.* 289. AN ACT TO AUTHORIZE THE COMMISSIONERS FOR THE COUNTY OF FRANKLIN TO LAY OUT AND CONSTRUCT A HIGHWAY AND BRIDGE OVER CONNECTICUT RIVER, BETWEEN THE TOWNS OF GILL AND MONTAGUE, IN SAID COUNTY.

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

Commissioners may build bridge over Connecticut River between Gill and Montague.

SECTION 1. The county commissioners for the county of Franklin are authorized to lay out and construct a public highway and bridge over the Connecticut River, at or near Turner's Falls, between the towns of Gill and Montague in said county, if in their judgment the public convenience and necessity require it.

To proceed as in laying out and constructing highways.

SECTION 2. Said commissioners in laying out and constructing said highway and bridge, shall in all respects proceed as is now provided by law for laying out and constructing highways: and shall, after due public notice to all parties in interest, and a hearing, proceed to determine and award what towns in said county will receive particular and special benefit from the construction and maintenance of said road and bridge, and to apportion and assess upon said county and such towns as receive special benefit as aforesaid, in such manner, and amounts as they shall deem equitable and just, the cost of the construction of said road and bridge. They shall also determine and award by what towns the said road and bridge shall be maintained, and the proportion of the expense of the maintenance of the same that shall be paid by each town. And the award and apportionment of the expense of the maintenance of said road and bridge, may at any time, and from time to time, upon the petition of any town interested, and notice and hearing, be revised and varied by the com-

missioners of said county, in such manner as they deem just and equitable.

SECTION 3. The said commissioners for the county of Franklin are authorized to borrow upon the credit of said county such sums of money as may be necessary to comply with the provisions of this act. May borrow money.

SECTION 4. This act shall take effect upon its passage.

*Approved June 2, 1874.*

AN ACT IN RELATION TO NUISANCES.

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

*Ch. 290.*

SECTION 1. Chapter one hundred and sixty-seven of the acts of the year one thousand eight hundred and seventy-one shall not be so construed as to authorize the maintenance of a nuisance, or to affect the jurisdiction of the supreme judicial court or any justice thereof, sitting in equity, to issue an injunction to prevent the continuance of a nuisance, upon the due application of any person injured thereby. Provisions of 1871, 167, not to be construed as to permit maintenance of a nuisance.

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

*Approved June 2, 1874.*

AN ACT CONCERNING THE ELECTION OF TOWN OFFICERS IN NEW SALEM.

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

*Ch. 291.*

SECTION 1. The election of moderator and town officers made in the town meetings held in New Salem in the year eighteen hundred and sixty-nine and in the succeeding years, so far as the same may appear illegal, for the reason that the check-list was not used in said elections is ratified and confirmed, and the same shall be taken and deemed good and valid in law to all intents and purposes whatsoever. Election of town officers in New Salem confirmed.

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

*Approved June 2, 1874.*

AN ACT IN RELATION TO THE UNIFORM OF CERTAIN EMPLOYÉS OF RAILROAD CORPORATIONS.

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

*Ch. 292.*

SECTION 1. Every railroad corporation shall prescribe a uniform cap and distinguishing badges to be worn by all its employés whose duties relate to the immediate transportation of passengers or their luggage. A corporation neglecting to prescribe and furnish such uniform cap and badges, shall forfeit one hundred dollars for each week of the continuance of such neglect; and if any employé for Badges, &c., to be worn by employés connected with passenger trains, &c.