

AN ACT REPEALING THE PROVISIONS OF LAW DESIGNATING THE STATE HIGHWAY BETWEEN TURNERS FALLS AND GREENFIELD AS THE DEWOLF-GARIEPY MEMORIAL HIGHWAY. Chap.478

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 122 of the acts of the current year is hereby repealed.

SECTION 2. This act shall take effect upon its passage.
Approved June 4, 1948.

AN ACT RELATIVE TO THE CARE AND CONTROL OF CERTAIN STATE LAND LOCATED IN THE TOWN OF WAKEFIELD AND UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION. Chap.479

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized to transfer to the town of Wakefield, for care and control, including police protection, the land and appurtenances, owned by the commonwealth and under the control of the metropolitan district commission, adjacent to Quannapowitt lake in the town of Wakefield, including the roadway known as Quannapowitt Parkway, acquired by, and described in, an instrument of taking by said commission, dated July nineteenth, nineteen hundred and sixteen, and recorded in Middlesex South District Deeds, Book 4072, Page 264, and an instrument of taking by said commission, dated February twenty-fourth, nineteen hundred and twenty-six, and recorded in said deeds, Book 4941, Page 485. Such transfer shall be upon such terms and for such period as may mutually be agreed upon, and said commission may enter into an agreement with said town for the joint care and control or police protection of said land and appurtenances.

SECTION 2. This act shall take effect upon its passage.
Approved June 4, 1948.

AN ACT PROVIDING FOR ADVICE BY, AND APPEALS TO, THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE ASSIGNMENT OF LOCATIONS FOR OFFENSIVE TRADES. Chap.480

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow immediately appeals to the department of public health in certain cases, and providing for advice by said department, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by striking out section 143, as amended by section 2 G. L. (Ter. Ed.), 111, § 143, etc., amended.

Assignment of places for offensive trades.

of chapter 269 of the acts of 1933, and inserting in place thereof the following section:— *Section 143*. No trade or employment which may result in a nuisance or be harmful to the inhabitants, injurious to their estates, dangerous to the public health, or may be attended by noisome and injurious odors shall be established in a city or town except in such a location as may be assigned by the board of health thereof, subject, however, to the provisions of any ordinance or by-law adopted therein under sections twenty-five to thirty A, inclusive, of chapter forty, or corresponding provisions of earlier laws, and such board of health may prohibit the exercise thereof within the limits of the city or town or in places not so assigned, in any event. Such assignments shall be entered in the records of the city or town, and may be revoked when the board shall think proper.

Advice by and appeal to department of public health.

The department shall advise, upon request, the board of health of a city or town previous to the assignment of places for the exercise of any trade or employment referred to in this section, and any person, including persons in control of any public land, aggrieved by the action of the board of health in assigning certain places for the exercise of any trade or employment referred to in this section may, within sixty days, appeal from the assignment of the board of health to the department and the department may, after a hearing, rescind, modify or amend such assignment.

G. L. (Ter. Ed.), 111, § 147, amended.

SECTION 2. Section 147 of said chapter 111, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "board" in line 4 and in line 6, in each instance, the words:— or department, — so as to read as follows:— *Section 147*. Whoever is aggrieved by an order made under section one hundred and forty-three or one hundred and fifty-two may, within three days after service of the order upon him, give written notice of appeal to the board or department, and file a petition for a jury in the superior court in the county where the premises affected are located, and, after notice to the board or department, may have a trial in the same manner as other civil cases are tried by jury. If by mistake of law or fact or by accident he fails within said three days to apply as aforesaid, and if it appears to the court that such failure was caused by such mistake or accident, and that he has not, since the service of such order upon him, violated it, he may within thirty days after the service of the order upon him apply for a jury.

Approved June 4, 1948.

Chap. 481 AN ACT RELATIVE TO THE ESTABLISHMENT OF MUNICIPAL AIRPORT COMMISSIONS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 51E, etc., amended.

Section 51E of chapter 90 of the General Laws, as amended, is hereby further amended by inserting after the first sentence, as appearing in section 1 of chapter 613 of the acts of 1946,