

# HOUSE . . . . No. 151.

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[Mr. WELLS of Cambridge gives notice that he will move to substitute this Bill for the Bill printed as House, No. 131.]

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## Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Eighty-two.

### AN ACT

Providing for Appeals from the County Commissioners to the Board of Railroad Commissioners in Certain Cases.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows :*

1 SECTION 1. Any party aggrieved by the decision  
2 or order of the county commissioners in any matter  
3 or proceeding arising under chapter one hundred  
4 and twelve of the Public Statutes may appeal there-  
5 from to the board of railroad commissioners.

1 SECT. 2. If the county commissioners unreason-  
2 ably refuse or neglect, for thirty days after the final  
3 hearing of the parties in any such matter or proceed-  
4 ing, to announce a decision therein, thereupon any  
5 party aggrieved by such refusal or neglect may  
6 appeal to the board of railroad commissioners.

1 SECT. 3. An appeal shall be claimed by filing  
2 with the county commissioners, within ten days after  
3 the making of the decision or order appealed from,  
4 or the expiration of thirty days from the final hear-  
5 ing in cases of refusal or neglect, a notice of appeal,  
6 and thereupon all proceedings before the county  
7 commissioners in such matter or proceeding shall be  
8 stayed.

1 SECT. 4. The appellant shall, within twenty days  
2 after the filing of the notice of appeal, file with the  
3 clerk of the railroad commissioners a petition setting  
4 forth the reasons of appeal, and, within ten days  
5 after the filing of the petition, cause a certified copy  
6 thereof to be served upon all other parties in  
7 interest.

1 SECT. 5. An appeal may be waived, at any time  
2 before a hearing thereon, by agreement of the par-  
3 ties, in writing, filed with the county commissioners  
4 and the railroad commissioners, and thereupon pro-  
5 ceedings may be had before the county commission-  
6 ers as if no appeal had been taken.

1. SECT. 6. The board of railroad commissioners  
2 shall, in matters and proceedings to which this act

3 relates, have the same powers vested in, and perform  
4 the same duties required of, the county commission-  
5 ers in like matters and proceedings; and all provis-  
6 ions of law relating to hearings and determinations  
7 by, and the enforcement of decisions and orders of,  
8 the county commissioners, in such matters and pro-  
9 ceedings, shall apply to hearings and determinations  
10 by, and decisions and orders of, the railroad commis-  
11 sioners in such matters and proceedings under this  
12 act.

