

trict, or municipal court, the officer who serves the writ shall give notice in writing to the defendant or to the person from whose custody the property is taken, stating the time and place of hearing thereon, with the names and places of residence of the persons proposed as sureties, allowing not less than one hour before the time appointed for the hearing, and time for travel at the rate of not less than one day for every twenty-four miles' travel.

proved by
master in
chancery, etc.

Approved May 17, 1895.

AN ACT TO ABATE THE SMOKE NUISANCE IN THE CITY OF BOSTON. *Chap. 389*

Be it enacted, etc., as follows:

SECTION 1. In the city of Boston the emission into the open air of dark smoke or thick gray smoke for more than five minutes continuously, or the emission of such smoke during more than twenty-five per cent. of any continuous period of twelve hours, is hereby declared a nuisance.

Certain emis-
sions of smoke
declared a
nuisance.

SECTION 2. Whoever commits such nuisance, or suffers the same to be committed upon any premises owned or occupied by him, or in any way participates in committing the same, shall be punished by a fine of not less than ten nor more than one hundred dollars for each week during any part of which such nuisance exists.

Penalty.

SECTION 3. The mayor of said city shall, within one month from the passage of this act, designate some proper person from among the officers of said city, who shall be charged with its enforcement. Such designation shall thereafter be made in January of each year, but shall be subject to change at any time.

Enforcement of
provisions.

SECTION 4. The officer so designated may apply to the supreme judicial or superior court, or any justice thereof, for an injunction to restrain the further operation of any steam boiler or boilers which are being operated in such a manner as to create a nuisance under the provisions of this act. And said court or justice may, after hearing the parties, enjoin the further operation of any such boiler or boilers, and may also, if deemed just and necessary, annul any license or permit which may have been granted for the maintenance or operation of the same.

Operation of
certain steam
boilers may be
restrained, etc.

SECTION 5. Chapter three hundred and fifty-three of the acts of the year eighteen hundred and ninety-three is

Repeal.

hereby repealed; but this act shall not affect any act done or prosecution pending at the time when it takes effect.

To take effect
July 1, 1895.

SECTION 6. This act shall take effect on the first day of July in the year eighteen hundred and ninety-five.

Approved May 17, 1895.

Chap. 390 AN ACT TO ESTABLISH AN ASYLUM FOR INSANE CRIMINALS AT BRIDGEWATER AND TO REGULATE COMMITMENTS AND REMOVALS TO THE SAME.

Be it enacted, etc., as follows:

The State Asylum for Insane Criminals established.

SECTION 1. So much of the hospital and almshouse departments of the state farm at Bridgewater as was established for the care and maintenance of insane men, under the provisions of chapter two hundred and nineteen of the acts of the year eighteen hundred and eighty-six, chapter eighty-nine of the resolves of the year eighteen hundred and eighty-eight and chapter forty-eight of the resolves of the year eighteen hundred and ninety-three, shall hereafter be known as The State Asylum for Insane Criminals, and shall be so designated.

Medical director, appointment, etc.

SECTION 2. The superintendent of the state farm, subject to the approval of the trustees, shall appoint a physician as medical director of the said asylum, and shall fix his salary. Said director shall have the care and custody of the inmates of the asylum and shall govern the same in accordance with the rules and regulations approved by the trustees.

Removal to asylum of certain insane persons.

SECTION 3. The insane male persons mentioned in sections ten, twelve and fourteen of chapter two hundred and twenty-two of the Public Statutes and chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-five shall hereafter be removed to said asylum for insane criminals, instead of to a state lunatic hospital.

Criminals may be committed or removed to asylum in certain cases.

SECTION 4. The description of insane male persons mentioned in section fifteen of chapter two hundred and thirteen and sections sixteen, nineteen and twenty of chapter two hundred and fourteen of the Public Statutes may be hereafter committed or removed to the asylum for insane criminals, instead of to a state lunatic hospital as therein provided, when in the opinion of the court said insane persons are criminals or have been vicious in their lives.