

Chap 181.

An Act relating to Rail-road Land Damages.

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

Juries may be applied for within a year after completion and return of commissioners' estimates.

SECTION 1. The time within which a party may apply for a jury, pursuant to the fifty-seventh section of the thirty-ninth chapter of the Revised Statutes, is hereby extended, so that such application may be made at any time within one year after the estimate of the county commissioners shall be completed and returned.

Proceedings for recovery of damages, &c. may be renewed within one year after abatement, reversal, &c.

SECTION 2. If any party shall have made application to the county commissioners, for the assessment of damages against any rail-road corporation, within the time limited by law therefor, or shall have been summoned in and made a party to any application for a jury to assess damages against such corporation made by any other person, or shall have petitioned for a jury to assess such damages, and such application, or petition, or coming in to become a party to such other petition, or the proceedings thereupon, shall be quashed or abated, or otherwise avoided or defeated, for any inaccuracy, irregularity, or matter of form ; or if, after a verdict for such applicant or petitioner, or other party, as aforesaid, the judgment shall be arrested or reversed on a writ of error, or the proceedings quashed on certiorari, such applicant, petitioner, or other party, may commence proceedings anew, for the recovery of damages, at any time within one year from the abatement, reversal, or other determination, of such petition, application, or proceedings. [Approved by the Governor, April 13, 1847.]

Chap 182.

An Act concerning the Eastern Rail-road Company.

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

Arrangements may be made with Chelsea Branch Rail-road Company, &c.

SECTION 1. The Eastern Rail-road Company are hereby authorized to make such arrangements with the Chelsea Branch Rail-road Company as shall be mutually agreed upon by said companies, for the construction, use, and maintenance of one or more rail-road tracks within the chartered routes of said Chelsea Branch Rail-road Company, for the exclusive use of said Eastern Rail-road Company : *provided*, that the authority hereby granted be exercised subject to the same provisions that are contained in "An Act to incorporate the Chelsea Branch Rail-road Company," passed April the tenth, in the year one thousand eight hundred and forty-six, and in "An Act concerning the Chelsea Branch Rail-road Company," passed February the twenty-third, in the year one thousand eight hundred and forty-seven.

Provided, &c.

SECTION 2. Said Eastern Rail-road Company are hereby authorized, with the consent of the Chelsea Branch Rail-road Company, to subscribe, hold, and dispose of, such number of shares in the capital stock of said Chelsea Branch Rail-road Company, as said Eastern Rail-road Company may deem for their interest, not exceeding one fourth of the capital stock aforesaid.

Eastern Com-
pany may pur-
chase shares,
&c.

Provided, &c.

SECTION 3. This act shall take effect from and after its passage. [*Approved by the Governor, April 13, 1847.*]

When to take
effect.

An Act relating to the Abstracts of School Returns and the Duties of School Committees.

Chap 183.

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

SECTION 1. The abstracts of school returns, prescribed by the statute of eighteen hundred and thirty-seven, chapter two hundred and forty-one, shall, hereafter, be made up by the Secretary of the Board of Education; and so much of any act, as provides that the said abstracts shall be made up in the office of the Secretary of State, is hereby repealed.

Abstracts to be
made by Secre-
tary of the
Board of Edu-
cation.

SECTION 2. Any city or town may withhold such compensation as the school committee of such city or town are now authorized, by law, to receive, if such town shall have forfeited its due portion of the income of the school fund through the failure of such committee to comply with the provisions of the law in relation to school returns. [*Approved by the Governor, April 14, 1847.*]

Towns losing
their income
from School
Fund, &c. may
withhold com-
pensation from
school commit-
tees.

An Act extending the time for locating a portion of the Connecticut River Rail-road.

Chap 184.

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

SECTION 1. The time prescribed by law for the filing of the location of the Connecticut River Rail-road, as far as the town of Greenfield, with the county commissioners for the county of Franklin, is hereby extended to the first day of May in the year one thousand eight hundred and forty-seven; and the due filing of said location by the Connecticut River Rail-road Company, on or previous to said date, shall have the same effect, and be in all respects as valid, as though filed within the period specified in the act incorporating said company, approved on the twenty-fifth day of January, in the year one thousand eight hundred and forty-five.

Time for filing
location of road
extended to
May 1, 1847.

SECTION 2. This act shall take effect from and after its passage. [*Approved by the Governor, April 14, 1847.*]

When to take
effect.