

Ch. 195. AN ACT TO DISSOLVE THE NORTH WEYMOUTH FIRE DISTRICT.*Be it enacted, &c., as follows :*

North Wey-
mouth fire dis-
trict. Corpora-
tion dissolved.

SECTION 1. The North Weymouth Fire District, a corporation organized pursuant to the provisions of chapter one hundred and fifty-two of the acts of the year eighteen hundred and forty-four, is dissolved; subject to the provisions of sections thirty-six and thirty-seven of chapter sixty-eight of the General Statutes, and nothing herein contained shall take away or impair the rights or remedies of any creditors of said corporation which may exist consistently with said sections.

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

*Approved April 24, 1874.**Ch.* 196. AN ACT TO AUTHORIZE THE CITY OF BOSTON TO IMPROVE STONY BROOK AND ITS TRIBUTARIES.*Be it enacted, &c., as follows :*

Boston may
remove obstruc-
tions in Stony
Brook.

May take land
on either side of
channel.

To file in regis-
try of deeds a
description of
land taken.

Damages to be
awarded by
board of
aldermen.

SECTION 1. The city of Boston, for the purpose of surface drainage, may remove obstructions in or over Stony Brook and the tributaries thereof, so far as the said brook and tributaries flow within the limits of said city; may divert the water, and alter the course and deepen the channel thereof; and the more effectually to make said improvements, may take or purchase land, not exceeding four rods in width, on either side of the present channel of said brook and of its tributaries, or of any channel into which said waters may be diverted within the limits of said city. Said city shall, within sixty days from the time they shall take any of said lands, file in the office of the registry of deeds for the county of Suffolk a description of the land so taken, as certain as is required in a common conveyance of land, and a statement that the same are taken in pursuance of the provisions of this act; which statement shall be signed by the mayor of said city; and the title to all land so taken shall vest in said city.

SECTION 2. Any person injured in his property by any of the acts done by said city, under the first section of this act, shall, upon application to the board of aldermen of said city, have compensation therefor, the amount thereof to be determined by said board of aldermen. And said board of aldermen shall finally adjudicate upon the question of damages, within thirty days after the filing of said application, unless the parties agree in writ-

ing to extend the time. In case damages are awarded, payment shall be made forthwith by said city.

SECTION 3. If the applicant is aggrieved, either by the estimate of his damages, or by a refusal or neglect within thirty days to estimate the same, he may, within three months from the expiration of said thirty days, or of the extended time as provided in the second section, apply for a jury and have his damages assessed in the manner provided when land is taken in laying out highways. If the damages are increased by the jury, the damages and costs shall be paid by the city, otherwise the costs arising on such application shall be paid by the applicant.

If applicant for damages is aggrieved, he may apply for a jury.

SECTION 4. All the expenses of improving said brook and its tributaries, authorized by this act including all damages paid under the preceding sections, shall be paid by said city. But the board of aldermen of said city may assess upon the estates bordering upon said brook, as the same now is or shall be after said improvement, and its tributaries, the expenses incurred by them, in proportion to the benefit which they may adjudge said estates to have received by said improvements.

Damages to be paid by city.

Estates may be assessed for betterments.

SECTION 5. All assessments made under the fourth section of this act shall constitute a lien on the real estate assessed for one year after they are laid, and may, together with all incidental costs and expenses, be levied by sale thereof (except as provided in the sixth section of this act), if the assessment is not paid within three months after a written demand of payment, made either upon the person assessed, or upon any person then occupying the estate, or posted upon the premises; such sale to be conducted in like manner as sales for the non-payment of taxes.

Assessments to constitute a lien on the real estate.

SECTION 6. If the owner of any estate, assessed as provided in the fifth section, desires to have the amount of said assessment apportioned, he shall give notice thereof in writing to the board of aldermen, at any time before or within twenty days after a demand is made upon him for the payment thereof; and said board of aldermen shall thereupon apportion the said amount into three equal parts, which apportionment shall be certified to the assessors, and the assessors shall add one of said equal parts to the annual tax of said estate each year for the three years next ensuing.

Assessments may be apportioned if owner desires.

Person ag-
grieved may
petition for a
jury.

SECTION 7. Any person aggrieved by the assessment made under the fourth section of this act, may, within three months after a written demand for payment, as provided in the fifth section of this act, petition for a jury in the same manner as appeals are made when land is taken in laying out highways. If the assessment is not confirmed by the jury, the costs of the application shall be paid by the city, otherwise the same shall be paid by the applicant.

Brook in the
city to be under
control of the
city.

SECTION 8. When the improvements authorized by this act shall have been completed, that part of Stony Brook and its tributaries flowing within said city shall be and remain under the control of said city.

Streams flowing
into brook not
to be restrained.

SECTION 9. This act shall not be construed to authorize the said city to restrain or dam up any of the streams now flowing into Stony Brook or into the tributaries thereof. Neither shall it authorize any interference with the estate owned by the Boston Belting Company or its rights in said brook as to the use and purity of its waters.

Boston Belting
Company.

SECTION 10. This act shall take effect upon its passage.

Approved April 24, 1874.

Ch. 197. AN ACT TO AUTHORIZE THE BRISTOL COUNTY AGRICULTURAL SOCIETY TO HOLD ADDITIONAL REAL ESTATE.

Be it enacted, &c., as follows :

Real estate not
exceeding
\$100,000.

SECTION 1. The Bristol County Agricultural Society may hold by gift, grant, devise or otherwise, real estate to an amount not exceeding one hundred thousand dollars.

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

Approved April 24, 1874.

Ch. 198. AN ACT IN ADDITION TO AND AMENDATORY OF THE SEVERAL ACTS RELATING TO THE TURNER'S FALLS COMPANY.

Be it enacted, &c., as follows :

May sell or
lease real estate
or water power.

SECTION 1. The Turner's Falls Company may, by by-law adopted at any legal meeting duly called for that purpose, confer upon such number of its directors or such of its officers as in such by-law shall be designated, power and authority to lease for any term of time, or sell and convey any of its real estate or water-power, and all leases, sales and conveyances made by such directors or officers shall have the same force and effect as if specially authorized by vote of the stockholders of said company.

Company may
confirm any
deeds or leases
already made.

SECTION 2. Said company may by vote of its stockholders at a meeting thereof duly called for the purpose, ratify and confirm any deeds or leases of real estate or