

An Act relating to Actions at Law.

Chap. 440

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

SECT. 1. The court before whom any action is brought, may, at any time during the return term of the writ, for good cause shown, and upon suitable terms, allow the plaintiff to file his declaration; and in all cases, the declaration may be filed upon the entry of the action, unless an arrest of the person is made; and no action shall be discontinued when the declaration is filed in accordance with the provisions of this act, notwithstanding the provisions of the eighth and ninth sections of the three hundred and twelfth chapter of the statutes of eighteen hundred and fifty-two.

Filing of declaration.

SECT. 2. This act shall take effect from and after its passage. [*Approved by the Governor, April 29, 1854.*]

An Act to authorize the construction of a Railroad Track in the Town of Fall River. Chap. 441

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

SECT. 1. Charles W. Morgan, owner of a certain wharf in the town of Fall River, known as Morgan's Wharf, his successors and assigns, for the purpose of facilitating the transportation of merchandise to and from said wharf, is hereby authorized to construct and maintain a railroad track, commencing upon said wharf, and from thence extending, by a curved line, easterly and southerly, across a public street or highway known as Bowen or Davol Street, to, and to connect with the Fall River Railroad, at a point near the range of the southerly line of land connected with said wharf, and belonging to said Morgan.

Railroad track in Fall River.

SECT. 2. A good and sufficient crossing at said street or highway, for teams and carriages, shall be maintained by the said Morgan, as aforesaid; and in arranging the same, he shall be subject to such rules and requirements, as by the selectmen of the town of Fall River, may be deemed reasonable and necessary.

Crossing maintained.

SECT. 3. The connection with the Fall River Railroad, shall be in such manner, and upon such terms, as may be mutually agreed upon by said Morgan, with the Fall River Railroad Company. [*Approved by the Governor, April 29, 1854.*]

May connect with railroad.