

May build on present site.

Prisoners to be confined at New Bedford during erection.

County of Bristol to be compensated.

In case of disagreement superior court to decide.

Repeal.

stable, and the buildings thereon. And if said commissioners shall determine to build a jail and house of correction upon the site of the present jail, they are hereby authorized to take down the present jail, and to discontinue the same for the time being. And while a new building for the purposes of a jail and house of correction may be in process of construction, the sheriff of the county of Barnstable is authorized, whenever it shall appear to him expedient, to transfer and remove any prisoner which may be in his custody in said county to the jail or house of correction in New Bedford, in the county of Bristol. And during such time, any trial justice in any court in said county of Barnstable, may commit any persons, for detention, or under sentence, to the jail or house of correction in said New Bedford, in the same manner as they might have been committed in the county of Barnstable. And the keeper of the jail and the master of the house of correction in said New Bedford, shall receive and detain such persons in the same manner as if they had been committed by a trial justice or court in the county of Bristol. And there shall be paid to the county of Bristol by the county of Barnstable, for the support of such persons, so transferred or committed, such sum as shall be agreed upon by the county commissioners of said counties; and in case said commissioners shall not be able to agree upon the amount to be paid, representation of the facts may be made to the superior court sitting in either of said counties, and the amount to be paid shall be determined by said court.

SECTION 4. The seventy-first chapter of the acts of the year eighteen hundred and sixty-two, is hereby repealed.

SECTION 5. This act shall take effect upon its passage.

Approved April 29, 1863.

Chap. 238 AN ACT CONCERNING THE OLD COLONY AND FALL RIVER RAILROAD COMPANY.

Be it enacted, &c., as follows :

Authorized to relocate their extension.

SECTION 1. The Old Colony and Fall River Railroad Company are hereby authorized to re-locate at any time within two years, the extension of their railroad authorized to be built by chapter one hundred and fifty-six of the acts of the year eighteen hundred and sixty-one, entitled "An Act to extend the railroad of the Old Colony and Fall River Railroad Company to the line of the state of Rhode Island and for other purposes," from a point at or near the tunnel on the line of their present railroad in the city of Fall River, in a southerly direction through said city to the

former line of the state of Rhode Island, to the terminus of a railroad now being constructed from Newport in the state of Rhode Island to the former line of the Commonwealth of Massachusetts.

SECTION 2. The Old Colony and Fall River Railroad Company are hereby authorized to construct their railroad at grade with the streets where the same shall cross the three following streets or ways in said Fall River: a private way or street called Metacomet Street, a private way or street, called Mill Street, and a public way or street called Broadway. And said railroad company are also hereby authorized to cross the southeasterly and the southerly portions of the American Print Works Pond on a solid filling of earth, provided the proprietors of said pond consent to such filling.

May cross at grade, certain streets in Fall River.

May cross American Print Works Pond.

Proviso.

SECTION 3. Whenever said railroad company shall re-locate the extension of their said railroad as authorized by this act, they shall surrender and abandon the location of the extension of their said railroad heretofore made and filed, by an instrument duly executed by said railroad company and filed with the clerk of the county commissioners for Bristol County; and said railroad company, shall only be liable for such damages for said first location of said extension of their railroad as shall have accrued up to the time of said surrender.

Upon re-location, shall surrender previous one.

Liability for damages.

SECTION 4. When streets shall be crossed over or under the same by the railway, the grading to and from said crossing shall be made satisfactory to the city authorities of Fall River and at the expense of the railroad company; and said company shall also pay all damages to abutters on said streets, occasioned by raising or lowering the same. The said railroad company shall also make proper provision at their own expense for any obstruction to the sewerage or drainage occasioned by the construction of said railroad.

Grade at crossings over or under streets.

Damage to abutters.

SECTION 5. This act shall be void unless accepted by said railroad company within six months from its passage, at a meeting of the stockholders of said railroad company legally called and held for the purpose.

Act void unless accepted.

SECTION 6. This act shall take effect upon its passage.

Approved April 29, 1863.

AN ACT RELATING TO AN ANNUAL ABSTRACT OF PUBLIC DOCUMENTS AND REPORTS.

Chap. 239

Be it enacted, &c., as follows:

SECTION 1. The secretary of the Commonwealth shall cause to be prepared and presented to the legislature, in

Tabular abstract, with notes, to be prepared.