

amount of stock held by said towns respectively, anything in the sixty-third chapter of the General Statutes to the contrary notwithstanding.

SECTION 7. This act shall be void unless the location of said railroad shall be made within two years, and the construction thereof be completed within four years from the passage hereof.

SECTION 8. This act shall take effect upon its passage.

*Approved March 13, 1867.*

AN ACT IN RELATION TO THE SUPERINTENDENCE OF CHARLES RIVER BRIDGE AND WARREN BRIDGE.

*Chap. 66.*

*Be it enacted, &c., as follows :*

SECTION 1. The city of Charlestown is hereby intrusted with the superintendence of Charles River bridge and Warren bridge.

City of Charlestown intrusted with.

SECTION 2. The management and control of said bridges shall be exercised by the city council of said city, which may make such rules and regulations, not repugnant to law, relating thereto, and such provisions for the appointment, and removal for neglect of duty, and for fixing the compensation of the draw-tenders required by the two hundred and eighty-second chapter of the acts of the year eighteen hundred and fifty-six, and of such other agents and employees, as it may deem expedient. Any of said rules and regulations shall be void whenever disapproved by the governor and council.

City council shall control; may make rules and appoint draw-tenders.

SECTION 3. A written or printed copy of the rules and regulations made as aforesaid, which relate to the draws in said bridges and the passing of vessels through them, shall be posted in some conspicuous place on each of said bridges near the draw therein. The said draw-tenders shall have the authority, and under the rules and direction of said city, shall perform the duties which are prescribed in the aforesaid chapter, and shall be obeyed and respected in the exercise of their functions as therein required.

Governor and council to approve rules.

Regulations to be posted near draws.

Draw-tenders, functions and duties defined.

SECTION 4. Said city is hereby authorized to let or lease any building or privilege, or other property appertaining to said bridges or either of them, subject to the approval of the governor and council.

City may lease bridge appurtenances; executive to approve.

SECTION 5. Said city shall take care that said bridges be kept in good order for the public travel; and shall cause said bridges and all buildings and structures appertaining to them, or either of them, to be kept in good repair; and shall collect any sum due for rent of any building, privilege or other property appertaining to said bridges, or either of them; and shall promptly demand payment for any damage to said

Shall have bridges and all structures in repair.

Shall collect rent for lease or use of property and claims for damage.

Shall require good faith in agreements.

If party refuse or fail, city to report to attorney of Commonwealth.

Money received to be paid State and added to "bridges fund."

Penalty for mooring raft or lumber more than ten hours without permit of mayor.

Liability for damage caused thereby.

Compensation of draw-tenders and assistants, and expenses of maintenance, to be paid from fund.

City not to have pay for superintendence nor be liable for damage.

Shall report to governor quarterly, and to legislature annually.

bridges, or either of them, or to any structure appertaining thereto, from any party lawfully liable therefor; and shall require all persons and corporations to faithfully fulfil and perform all obligations or agreements they are or may be under in relation to said bridges, or either of them, or in relation to any structure, privilege or property thereto appertaining; and in case of refusal of any payment as aforesaid, or neglect or refusal to comply with or fulfil any such agreement or obligation, it shall be the duty of said city to report the same to the prosecuting officer of the Commonwealth, that legal proceedings may be instituted to enforce such payment or compliance with such agreement or obligation; and all sums of money collected as aforesaid or otherwise, on account of or appertaining to said bridges, shall, upon its receipt by said city, be paid over to the treasurer and receiver-general, to be added by him to the Charles River and Warren bridges fund.

SECTION 6. Every person who shall attach or moor any raft or collection of spars, logs, piles, timber or lumber to either of said bridges, or to any pier or other structure appertaining thereto, for more than ten hours without permission in writing from the mayor of Charlestown, shall for every such offence forfeit and pay to the city of Charlestown, to be added to said fund, as before provided, a sum not less than twenty-five dollars, and five dollars for every successive day during which such attachment or mooring shall be continued; and shall be further liable for all damages to such bridge, pier or other structure, caused by such attachment or mooring, or any continuance thereof, to be recovered by an action of tort.

SECTION 7. The compensation of said draw-tenders and other employes, and all expenditures required for maintaining said bridges and other structures and property appertaining thereto, shall be paid from the Charles River and Warren bridges fund and the income thereof; but no payment or allowance shall be made to the city of Charlestown, or to any agent appointed by said city in pursuance of this act for superintendence of said bridges; nor shall said city, or the city council thereof, be liable for any damages which may be sustained by any party, by reason of any defect or want of repair of said bridges, or either of them, or by reason of any negligence of any draw-tender or other employe, or otherwise.

SECTION 8. Said city shall make quarterly reports to the governor and council of the receipts and expenditures on account of said bridges; and shall, on or before the fifteenth day of January in each year, make a report to the legislature

containing a specific statement of the receipts and expenditures for the year ending on the thirty-first day of the preceding December; and shall also submit such estimates and make such reports as are required of public officers by the twenty-eighth and twenty-ninth sections of the fifteenth chapter of the General Statutes.

G. S. 15, §§ 28, 29, to apply.

SECTION 9. After the first day of April, in the year one thousand eight hundred and sixty-eight, the city of Charlestown, upon giving three months' notice to the governor, pursuant to a vote of the city council of said city, may surrender the superintendence of said bridges hereby intrusted to it; and the governor and council may at any time, after thirty days' notice to said city, resume the care and superintendence of said bridges hereby intrusted to said city: and upon the surrender by said city or the resumption by the governor and council of the superintendence as aforesaid, the governor and council shall appoint draw-tenders, pursuant to the provisions of the one hundred and eighty-sixth chapter of the acts of the year one thousand eight hundred and fifty-nine.

City, after April 1, 1868, upon notice three months may surrender bridge.

Governor and council, after thirty days' notice may resume care.

SECTION 10. The operation of the one hundred and eighty-sixth chapter of the acts of the year one thousand eight hundred and fifty-nine, and of all provisions of all laws relating to Charles River bridge and Warren bridge inconsistent with this act, are hereby suspended until the city of Charlestown shall surrender or the governor and council shall resume the superintendence of said bridges, as provided in the ninth section of this act.

Acts of 1859, ch. 186, and all laws relating to said bridges suspended.

SECTION 11. This act shall take effect when it shall have been accepted by vote of the city council of Charlestown, and the mayor of said city shall have filed with the secretary of the Commonwealth a notice of such acceptance.

This act in force upon acceptance by city council and filing of notice.

*Approved March 16, 1867.*

AN ACT IN RELATION TO THE COMPENSATION OF AUDITORS.

*Chap. 67.*

*Be it enacted, &c., as follows:*

Section fifty of chapter one hundred and twenty-one of the General Statutes is hereby amended, so that the compensation awarded by the court to auditors may be paid by either party to the suit in which such auditors or auditor may be appointed, and taxed in his bill of cost if he prevails.

G. S. 121, § 50, amended: either party may pay, and prevailing be taxed in cost.

*Approved March 16, 1867.*

AN ACT IN RELATION TO THE ELECTION OF SCHOOL COMMITTEE IN THE CITY OF CAMBRIDGE.

*Chap. 68.*

*Be it enacted, &c., as follows:*

SECTION 1. The qualified voters of the city of Cambridge, at their annual meeting for the election of municipal officers,

Voters in wards shall elect three; for one, two and