

tant about twenty-five hundred feet from the junction of the Saugus Branch Railroad with the Boston and Maine Railroad, to the Grand Junction and Eastern Railroads, in South Malden; such extension being located westerly of the Burying-Ground and Main Street in said Malden.

When filed and completed.

SECT. 2. If the location of said extension is not filed within one year, and if the same is not constructed within two years from the passage of this act, the same shall be void. [*Approved by the Governor, April 15, 1854.*]

*Chap. 311* An Act for the Protection of the Cranberry Vines on the Province lands, in Provincetown.

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

Penalty for destroying cranberry vines.

SECT. 1. If any person shall pull up, remove or destroy, any of the cranberry vines, the natural growth on the unenclosed Province lands, in the town of Provincetown, in the county of Barnstable, he shall pay the sum of five dollars for the first offence, and the sum of ten dollars for every subsequent offence. And if any person shall pick any cranberries, growing as aforesaid, before the fifth day of October, in any year, he shall pay, for each and every such offence, the sum of two dollars, each of which fines may be recovered, by complaint made to any justice of the peace for said county.

How recovered

SECT. 2. This act shall take effect from and after its passage. [*Approved by the Governor, April 15, 1854.*]

*Chap. 312* An Act to establish a Police Court in the Town of Plymouth.

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

Police Court established.

SECT. 1. A Police Court is hereby established in the town of Plymouth, in the county of Plymouth, to consist of one competent and discreet person, to be appointed and commissioned by the governor, pursuant to the constitution, as standing justice.

Jurisdiction.

SECT. 2. The said court shall have original jurisdiction, and jurisdiction exclusive of other justices of the peace in the county of Plymouth, over all crimes, offences, and misdemeanors committed within the said town of Plymouth whereof justices of the peace now have, or may have, juris-

diction; also of all suits and actions which may now, or at any time hereafter, be heard, tried and determined, before any justice of the peace in the county of Plymouth, whenever all the parties shall reside in the town of Plymouth, and service of the writ is had on the defendant in said county. The said court shall have original and concurrent jurisdiction, with justices of the peace in said county of Plymouth, over all crimes, offences and misdemeanors whereof justices of the peace within the county of Plymouth now have, or may have, jurisdiction; also of all suits and actions within the jurisdiction of any justice of the peace within the county of Plymouth.

SECT. 3. An appeal shall be allowed from all judgments of said police court, in like manner and to the same extent that appeals are now allowed by law from judgments of justices of the peace; and the justice of the said police court shall not be of counsel to any party in any cause which may be pending in said court.

Appeal allowed.

SECT. 4. All fines and forfeitures, and all costs in criminal prosecutions, which shall be received by or paid into the hands of the justice of said court, shall be by him accounted for and paid over to the same persons, in the same manner, and under the same penalties, as are by law prescribed in the case of justices of the peace. All costs in such prosecutions not thus received shall be made up, taxed, certified and allowed, and shall be paid in like manner as is provided by law in cases of justices of the peace.

Fines, costs, &c., how disposed of.

SECT. 5. The justice of said court shall retain to his own use all fees by him received, or which now accrue to justices of the peace, in civil actions and criminal prosecutions, in full compensation for all services assigned to him by the provisions of this act: *provided, however*, that he shall not retain for his services in criminal prosecutions a sum exceeding three hundred dollars annually, but shall pay over to the county treasurer all fees received by him in criminal prosecutions, over and above that sum.

What fees court may retain.

SECT. 6. A court shall be held by said justice at some suitable place in said town of Plymouth, to be provided at the expense of the said justice, on two several days of each week, at nine of the clock in the forenoon, and as much oftener as may be necessary, to take cognizance of crimes, offences and misdemeanors, and on two several days in each month, to be appointed and made known by said justice, for the trial of civil suits and actions. The justice of said court may adjourn said court as justices of the peace may

Court how often to be held.

now adjourn the same hearings or trials, and he shall, from time to time, establish all necessary rules for the orderly and uniform conducting of the business thereof.

Shall keep a fair record and make return.

SECT. 7. The justice of said court shall keep a fair record of all proceedings in said court, and shall make return to the several courts of all legal processes, and of his doings therein, in the same manner as justices of the peace are now by law required to do; and he shall also, annually, in the month of January, exhibit to the selectmen of the said town of Plymouth a true and faithful statement of money actually received by him as fees, and all charges and fees which are outstanding and claimed to be due to him at the date of such exhibit.

One special justice.

SECT. 8. There shall be appointed by the governor, by and with the advice and consent of the council, one special justice of said court, who shall have power, in case of the absence, sickness, interest, or any other disability of the standing justice, to issue the processes of said court, to hear and determine any matter or cause pending, and to exercise all the powers of the standing justice until such disability shall be removed. The said special justice shall be paid for the services by him performed, out of the fees received in said court, such sum as the standing justice would be entitled to for the same services.

Pending suits.

SECT. 9. All suits, actions and prosecutions, which shall be pending within the said town of Plymouth, before any justice of the peace, when this act shall take effect, shall be heard and determined as though this act had not passed.

Appointment of justices.

SECT. 10. The governor shall have power, by and with the advice and consent of the council, to appoint said standing and special justice at any time after receiving notice of the adoption of this act by the town of Plymouth, as herein-after mentioned.

Act void, unless accepted by written vote

SECT. 11. This act shall be void unless the inhabitants of the town of Plymouth, at a legal town meeting called for that purpose, shall, by a written vote, determine to adopt the same within sixty days from the passage of this act; and it shall be the duty of the selectmen and town clerk of said town of Plymouth to certify that fact to his excellency the governor, if the town should so vote to accept this act. [Approved by the Governor, April 15, 1854.]