

# HOUSE....No. 464.

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## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Seventy.

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### AN ACT

In relation to building with Stone or Brick in populous  
Towns, and for Preventing Fire.

[As amended and ordered to a 3d reading.]

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

1   SECT. 1. No dwelling-house, shop, warehouse,  
2 barn, stable, or any other structure of more than  
3 eight feet in length or breadth, and seven feet in  
4 height, shall be erected and set up within such limits  
5 of any town of this Commonwealth, as said town may  
6 from time to time determine, but of stone, brick, or  
7 other incombustible material, and covered with slate,  
8 tin, tile, or other incombustible material, unless in

9 particular cases where the public good permits or  
10 necessity requires, to be so judged and signified in  
11 writing, by license, under the hands of the selectmen  
12 of said town, or a major part of them: *provided*, this  
13 shall not apply to any detached house, shop, stable,  
14 barn or structure which is located more than a hun-  
15 dred feet from any other house, barn, shop, stable or  
16 warehouse, nor to wooden structures erected upon  
17 wharves of wood.

1     SECT. 2. Any such building or structure hereafter  
2 erected without license duly granted by the select-  
3 men, and recorded in the records of the town where  
4 the same is erected, shall be deemed and taken to be  
5 a common nuisance, without any other proof thereof  
6 than proof of its use. And the selectmen of any  
7 town shall have the same power to abate and remove  
8 any building or structure mentioned in section one,  
9 erected contrary to the provisions of this act, as  
10 boards of health have to remove nuisances by sections  
11 eight, nine and ten of chapter twenty-six of the Gen-  
12 eral Statutes.

1     SECT. 3. This act shall not be in force in any town  
2 unless the inhabitants thereof shall adopt the same  
3 at a legal meeting of said inhabitants called for that  
4 purpose.

1     SECT. 4. This act shall take effect upon its pas-  
2 sage.



