

Examiners to be of other county.

City and town may pay sum due soldier or sailor, to family of.

Aid under § 2, ch. 172 of 1866; no appeal to lie.

Sections 2, 10, of said ch. amended.

Section 12 of said ch. and ch. 282, 1866, repealed.

Widows and orphans having aid under ch. 282, and "100 days" and "3 months" men, to receive under this act.

ury of the Commonwealth. No person shall be appointed to make such examinations in the county where he may reside.

SECTION 6. The treasurers of cities and towns may, under the direction of the city council or selectmen thereof, pay the sums due for aid to any officer, soldier or sailor, or so much thereof as they may think best to the wife or family of such officer, soldier or sailor or for the benefit of such wife or family; and the amounts so paid shall be re-imbursed in the same manner as if paid to such officer, soldier or sailor in person.

SECTION 7. No appeal shall lie to the commission appointed by section five of said chapter one hundred and seventy-two, with regard to the aid provided for in section two of said chapter.

SECTION 8. Sections two and ten of said chapter one hundred and seventy-two, are hereby amended by striking out the word "father" wherever it occurs in said sections, and inserting before the word "mother" wherever it occurs in said sections the word "widowed."

SECTION 9. Section twelve of said chapter one hundred and seventy-two, and chapter two hundred and eighty-two of the acts of the year eighteen hundred and sixty-six, are hereby repealed. The widows and orphan children who are now receiving aid under the provisions of said chapter two hundred and eighty-two shall continue to receive the same aid under this act, under the same conditions and restrictions as now exist. All persons who served in the regiments commonly known as "one hundred day regiments," and "three months regiments," and who come within the provisions of this act, shall receive the aid herein provided.

SECTION 10. This act shall take effect on the first day of May next.

Approved April 11, 1867.

Chap. 137

AN ACT RELATING TO DISSOLVING ATTACHMENTS IN CIVIL SUITS.

Be it enacted, &c., as follows:

Defendant may have value of property appraised.

SECTION 1. In any action when an attachment of real or personal property, or both, is made on mesne process, the defendant therein instead of dissolving such attachment in the manner now provided by law, may at any time apply in writing to the officer who has made such attachment to have the value of the whole or any part of such property appraised by appraisers, who shall thereupon be appointed and qualified in the same manner as is provided by law with regard to the appointment and qualification of appraisers of perishable property attached, and shall examine the attached property, or the specific part thereof to be appraised, and appraise the

same according to the best of their skill and judgment at the value thereof in money; and after the value is so determined, the defendant may dissolve the attachment, so far as it embraces the property so appraised, by giving bond with sufficient sureties, to be approved by the plaintiff, or by a master in chancery, with condition to pay the plaintiff within thirty days after final judgment in said action in favor of the plaintiff, the value of said property so appraised, or so much thereof as may be necessary to satisfy such judgment.

May dissolve attachment by bond to pay plaintiff in thirty days.

SECTION 2. The sufficiency of the sureties, the application to the master in chancery to approve the same, the notice to the plaintiff of the time and place of hearing, and the fees of the master in chancery, shall be determined and regulated in the manner provided by sections one hundred and four, one hundred and five and one hundred and six of chapter one hundred and twenty-three of the General Statutes.

Proceedings to be under G. S. 123, §§ 104-5-6.

SECTION 3. This act shall take effect upon its passage.

Approved April 12, 1867.

AN ACT IN ADDITION TO AN ACT CONCERNING THE ISSUE OF COMMISSIONS TO CERTAIN CIVIL OFFICERS.

Chap. 138

Be it enacted, &c., as follows:

SECTION 1. Every person hereafter appointed to the office of trustee or member on any public board, or trustee, inspector or superintendent of any hospital, almshouse, reform or industrial school, or other charitable, educational or correctional institution, or to the office of coroner, public administrator, guardian of any Indian tribe, commissioner of wrecks and shipwrecked goods, inspector of merchandise, or other public office, under executive commission, shall, within three months from the date of confirmation therein, take and subscribe the oaths required to qualify him to execute the duties of such office.

Person appointed shall take oaths of office within three months.

SECTION 2. When any person to whom either of such commissions shall be issued shall fail to comply with the requirements of the first section of this act, such non-compliance shall be deemed to vacate said office; and the secretary of the Commonwealth shall forthwith notify such person of the expiration of the limitation of time in said section prescribed, and request the return to that department of the commission so received: and the secretary shall certify to the governor the vacation of such office.

Failure to comply deemed to vacate.

Secretary shall notify person and certify to governor.

SECTION 3. The provisions of this act shall not apply to any office or commission named in the first section of chapter one hundred and nine of the acts of the year one thousand eight hundred and sixty-two.

Act not to apply to offices named in § 1, ch. 109, 1862.