

and judgment, and to award damages for its detention if an agreement has been filed as provided in the preceding section.

SECTION 4. Said commissioners, before proceeding to the execution of their duties, shall be sworn faithfully and impartially to execute the same, a certificate of which oath shall be made on the warrant by the person who administers it. Commissioners to be sworn.

SECTION 5. The commissioners shall give sufficient notice, of the time and place appointed for setting out the dower, to the parties to the suit. —to notify parties.

SECTION 6. All the commissioners shall meet for the performance of any of their duties, but the acts of a majority shall be valid. —acts of majority of, to be valid.

SECTION 7. The commissioners shall make a return of their doings, with the damages, if any, assessed by them, under their hands, together with their warrant, to the court from which said warrant was issued. If their report is confirmed, judgment shall be rendered that the assignment of dower shall be firm and effectual during the life of the demandant, and for the damages as assessed by said commissioners. —to make return of doings to court.

SECTION 8. Any party aggrieved by any judgment rendered in the superior court under section second of this act, or upon a report of the commissioners aforesaid, may appeal therefrom, in any matter of law apparent upon the record, to the supreme judicial court; but upon an appeal from the judgment upon the report of the commissioners, the interlocutory judgment that dower shall be set out, shall not be drawn in question. Right of appeal to S. J. C. in any matter of law apparent upon the record.

SECTION 9. The demandant shall have execution for the damages assessed, either by the jury or the commissioners, after judgment is rendered therefor, and for costs of suit. Execution for damages and costs.

SECTION 10. The fourth and seventh sections of chapter one hundred and thirty-five of the General Statutes are hereby repealed. Repeal.

*Approved June 21, 1869.*

AN ACT TO AMEND THE FORM OF RETURNS REQUIRED OF RAILROAD CORPORATIONS OTHER THAN STREET RAILWAYS.

*Chap. 419*

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

SECTION 1. The form of returns now required of railroads other than street railways shall be amended as follows: Form of returns amended.

Under the head of capital stock and debts, the first item shall read, "capital stock authorized;" and after the sixth item as it now stands shall be inserted, "amount realized in cash value for stock issued;" and after the fifteenth item as it now stands, shall be inserted, "whole amount in cash

value realized from funded and floating debts ;” and “ whole amount in cash value realized from stock and debts.”

Under the head of cost of road and equipment, after the forty-eighth item as it now stands, shall be inserted, “ amount of discounts or other sacrifices on stock and bonds issued ;” and after the fiftieth item as it now stands shall follow a specification of assets, such as “ cash and loans,” “ stocks and bonds,” “ real estate,” “ fuel,” and other large items ; also another item, “ income expended in construction and equipment.”

Under the head of characteristics of road, in place of the fifty-first item as it now stands, shall be inserted, “ length of main road in this state,” and “ length of main road in other states, specifying how much in each ;” and the length of branches required by the fifty-fourth item as it now stands, shall specify also the “ length of branches in this state and each other state ;” and also after the fifty-fifth item as it now stands, shall be inserted, “ length of roads belonging to other companies operated by this company,” and “ total miles of road operated by this company.”

And all the items under the heads of doings during the year, expenditures for working the road, motive power and cars, miscellaneous, and income during the year, shall be made up for the “ total miles of road operated by this company ;” and after the one hundred and forty-seventh item as it now stands, shall follow a specification of what said surplus consists of, such as “ cash and loans,” “ stocks and bonds,” “ real estate,” “ fuel,” and other large items.

SECTION 2. After the first day of December, in the year eighteen hundred and sixty-nine, all railroads subject to the authority of this Commonwealth shall make their returns strictly according to the forms provided by law ; and no railroad company shall be allowed to plead in excuse for not conforming thereto, that they do not keep their books so as to make such returns ; and the secretary of state and the attorney-general shall enforce the provisions of the laws against any railroad company not conforming thereto.

*Approved June 21, 1869.*

### Chap. 420

#### AN ACT TO ESTABLISH A STATE BOARD OF HEALTH.

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

Board of health and vital statistics.

SECTION 1. The governor, with the advice and consent of the council, shall appoint seven persons, who shall constitute the board of health and vital statistics. The persons so appointed shall hold their offices for seven years : *provided*, that the terms of office of the seven first appointed shall be

Proviso.

Secretary of state and attorney-general to enforce laws against railroads failing to comply.