

therefrom to the superior court then next to be held in the county.

SECTION 4. The necessary expenses incurred in the care and disposing of such birds or animals may be allowed and paid in the same manner that costs in criminal prosecutions are paid. Expenses incurred in care of birds, &c., how paid.

SECTION 5. Whoever owns, possesses, keeps or trains any bird or animal, with the intent that such bird or animal shall be engaged in an exhibition of fighting, shall be punished by fine not exceeding fifty dollars. Penalty for training birds or animals.

SECTION 6. Whoever is present at any place, building or tenement where preparations are being made for an exhibition of the fighting of birds or animals, with intent to be present at such exhibition, or is present at such exhibition, shall be punished by fine not exceeding ten dollars. Penalty for being present at exhibition.

Approved June 22, 1869.

AN ACT CONCERNING BONDS IN CIVIL CASES.

Chap. 436

Be it enacted, &c., as follows :

SECTION 1. Whenever in the course of a civil suit or proceeding a bond is required to be given by any party, such bond may be signed by any person other than the party to the suit or proceeding, and such bond may be approved in the same manner as is now provided by law for the approval of bonds: *provided*, it be made to appear to the magistrate so approving, that there is good reason why such bond is not signed by the party to the suit or proceeding. When bond is required in civil suit, magistrate may allow it to be signed by any person other than party to the suit. Proviso.

SECTION 2. Chapter two hundred and eighty-five of the acts of the year eighteen hundred and sixty-eight is hereby repealed. Repeal.

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

Approved June 22, 1869.

AN ACT IN RELATION TO SUITS IN WHICH STATE BANKS ARE PARTIES.

Chap. 437

Be it enacted, &c., as follows :

SECTION 1. No suit between any bank incorporated under the authority of this Commonwealth, which may have become a banking association under the laws of the United States, and any other party, shall abate or be deemed to have abated by reason of the expiration, pending the suit, of three years from the time such bank may have become a banking association as aforesaid; but the court in which such suit is or may have been pending may, for the purpose of determining the rights of the parties, permit the same to be prosecuted to final judgment, and may enter judgment therein for or against such bank, notwithstanding the expiration of said Suits between banks incorporated under laws of state and other parties not abated, notwithstanding three years have elapsed since bank has become national.

three years; and the court may make such orders as to the issue of execution, as shall, under the circumstances of the case, seem just and reasonable: *provided*, such suit shall have been commenced before the expiration of said three years, or within one year after the cause of action is discovered.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved June 22, 1869.

Chap. 438 AN ACT RELATIVE TO THE REPORTING OF QUESTIONS OF LAW BY THE SUPERIOR COURT.

Be it enacted, &c., as follows:

Questions of law arising before superior court may, by consent, be reported to S. J. C. before verdict.

SECTION 1. Questions of law, whether arising upon a trial or other proceeding before the superior court, may, by consent of the parties to the suit, be reported before verdict for the determination of the supreme judicial court; and so much of the case as is necessary for the understanding of said questions shall be reported for that purpose.

SECTION 2. This act shall take effect upon its passage.

Approved June 22, 1869.

Chap. 439 AN ACT TO AUTHORIZE WILLIAM L. BRADLEY TO EXTEND HIS WHARF IN WEYMOUTH.

Be it enacted, &c., as follows:

May extend wharf in Weymouth.

License is hereby given to William L. Bradley to extend his wharf in the town of Weymouth, on the northerly side of Weymouth Back River, southerly towards the channel forty feet beyond his present wharf, and to the extent of his land upon the shore of the river: *provided*, that all things done under this act shall be subject to the determination and approval of the harbor commissioners, as provided in the fourth section of chapter one hundred and forty-nine of the acts of the year eighteen hundred and sixty-six; and *provided*, that this license shall in no wise impair the legal rights of any person; and *provided, further*, that this license may be revoked at any time, and shall expire at the end of five years from its taking effect, except so far as valuable structures may have been actually and in good faith built under the same.

Approved June 22, 1869.

Chap. 440 AN ACT TO AUTHORIZE THE BOSTON AND ALBANY RAILROAD COMPANY TO CHANGE THE LOCATION OF ITS PASSENGER STATION, AND TO PROVIDE BETTER RAILWAY FACILITIES AND STATION ACCOMMODATIONS AT SPRINGFIELD.

Be it enacted, &c., as follows:

May change location of depot and enlarge accommodations in Springfield.

SECTION 1. The Boston and Albany Railroad Company is hereby authorized to change the location of its passenger station or depot, and to enlarge its passenger and freight