

annually as provided for adjutants of regiments by section one hundred and twenty-six of chapter three hundred and twenty, of the acts of the year eighteen hundred and seventy-four.

Four-gun batteries.

SECTION 2. In times of peace no more than four guns shall be allowed to a battery of artillery.

Chaplain and non-commissioned staff for battalions.

SECTION 3. There shall be allowed to each separate battalion one chaplain, one drum-major, one commissary-sergeant, who shall receive the same pay and allowance as other officers and enlisted men of their grade.

Aide-de-camp upon brigade staff.

SECTION 4. In each brigade there shall be one aide-de-camp upon the staff of the brigade commander in addition to the number of staff officers now allowed by law who shall receive the same pay and allowance as officers of the same grade.

SECTION 5. This act shall take effect upon its passage.

Approved May 19, 1875.

Chap. 230 AN ACT TO INCREASE THE NUMBER OF ASSOCIATE JUSTICES OF THE SUPERIOR COURT.

Be it enacted, &c., as follows :

Associate justice of the superior court.

SECTION 1. The number of associate justices of the superior court, shall be ten instead of nine, as now provided by law.

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

Approved May 19, 1875.

Chap. 231 AN ACT TO AMEND CHAPTER THREE HUNDRED AND SEVENTY-TWO OF THE ACTS OF THE YEAR EIGHTEEN HUNDRED AND SEVENTY-FOUR, ENTITLED "AN ACT TO REVISE AND CONSOLIDATE THE PROVISIONS OF THE GENERAL STATUTES AND OF SUBSEQUENT GENERAL ACTS RELATING TO RAILROADS."

Be it enacted, &c., as follows :

Members of commission to be appointed by a justice of S. J. C.

SECTION 1. The members of the special commission provided for in section ninety-eight of chapter three hundred and seventy-two of the acts of the year eighteen hundred and seventy-four, shall be appointed by any justice of the supreme judicial court, either in term time or vacation, upon motion of either party in interest, after such notice to all parties in interest as the said court may order. The commission shall meet as soon as may be after the several members are appointed, and in any case within thirty days after they are appointed as aforesaid, and may apportion charges, expenses and costs in the manner provided by said section ninety-eight; or, if the way in question is a highway, may assess the same upon

Commission to meet within thirty days of appointment.

the railroad corporation, and the town or city, and the county in which the crossing is situated, or either of them, or any two of them, in such proportions as may be deemed just and reasonable.

SECTION 2. Any party affected by any award mentioned in the one hundredth section of chapter three hundred and seventy-two of the acts of eighteen hundred and seventy-four, and made under the provisions of section ninety-eight of said chapter, if dissatisfied with said award or the determination in respect to any matters of fact found therein, may, within fourteen days after such award shall have been filed in the office of the board of railroad commissioners, as provided for in the said one hundredth section, apply to the superior court for the county in which said crossing is situated, for a jury to revise and determine any matter of fact or issue mentioned in said ninety-eighth section as hereby amended, which the special commission provided for therein could legally have determined in and by their award made under said last mentioned section, and thereupon said court, after due notice to all other parties interested in the matter of said award, shall order a trial by jury to be had at the bar of the court, in the same manner in which civil causes are therein tried by jury; and all cases so entered in said court under the provisions of this act, shall take precedence of all other business, and a trial shall be had thereon as soon as may be, and no continuance shall be granted unless the purposes of justice should require it; and the verdict of the jury in such case, when finally accepted by said superior court, shall be final; and in all cases where the jury shall be applied for, no party shall be entitled to have said award returned to the supreme judicial court for revision as provided for in the one hundredth section; but if no application shall be made by any party for a jury, as herein before provided, then any party affected by said award shall be entitled to have said award returned to the supreme judicial court, as provided in the one hundredth section, and the rights of all parties under said one hundredth section shall then remain the same as if this act had not been passed.

Parties dissatisfied with award may apply for a jury.

Cases in court, under this act, to take precedence of all other business.

SECTION 3. If a jury shall be applied for as provided in the second section of this act, and a verdict shall be rendered in the case, the rights of all parties under the one hundred and first section of said three hundred and

Rights of parties if jury is applied for, and verdict rendered.

seventy-second chapter, shall be the same under the verdict of a jury as it is now provided they shall be under the award of said special commission.

Repeal.

SECTION 4. Section ninety-nine of chapter three hundred and seventy-two of the acts of the year eighteen hundred and seventy-four, and all acts and parts of acts inconsistent herewith are hereby repealed; but nothing in this act contained shall be construed to affect cases now pending in court which shall be tried and adjudicated as if this act had never been passed.

SECTION 5. This act shall take effect upon its passage.

Approved May 19, 1875.

Chap. 232 AN ACT RELATING TO CONTRACTS WITH CERTAIN PUBLIC OFFICERS.
Be it enacted, &c., as follows:

Members of
city council not
to be interested
in city contracts.

SECTION 1. No person shall be interested in a private capacity, either directly, or indirectly, in any contract or agreement wherein a city is a party interested, if he be a member of the city council of said city, or of either branch thereof, and if said contract, or agreement, be made by said city council or either branch thereof, or by authority derived therefrom.

Nor if he be a member of any municipal board in said city, and said contract or agreement be made by said board, or authority therefrom.

Nor if he, alone, or with others, represent said city in making such contract or agreement. Nor shall he, directly or indirectly, for himself or any other person, receive any commission, discount, bonus, present or reward from the person or persons making or performing such contract or agreement.

Members of
legislature or
executive coun-
cil not to be
interested in
contracts, etc.,
wherewith the
state is a party.

SECTION 2. No person shall be interested in a private capacity, either directly or indirectly, in any contract or agreement wherein the state is a party interested, if he be a member of the legislature or executive council of this state, and said contract or agreement be made by said legislature or either branch thereof, or authority derived therefrom. Nor if he alone, or with others, represent said state in making such contract or agreement; nor shall he, directly or indirectly, for himself or any other person, receive any commission, discount, bonus, present or reward from the person or persons making or performing said contract or agreement. Nor if he be a member of any state commission, and said contract or agreement be made by said commission or authority derived therefrom.