

AN ACT RELATIVE TO APPEALS BY JOINT DEFENDANTS.

*Chap.451*

*Be it enacted, etc., as follows:*

Section ninety-seven of chapter one hundred and seventy-three of the Revised Laws is hereby amended by adding at the end thereof the words:—In an action founded upon a liability which is joint, if some but not all of the defendants appeal, the case shall nevertheless be transferred as against all, and such judgment shall be entered in the superior court as justice may require; but a co-defendant who has not joined in the appeal shall not be liable for costs arising after the appeal was taken, — so as to read as follows:—*Section 97.* A party who is aggrieved by the judgment of a police, district or municipal court or trial justice in a civil action, except a judgment rendered in accordance with the provisions of section forty-two of chapter one hundred and sixty, may, within twenty-four hours after the entry of the judgment, appeal therefrom to the superior court. In such case, no execution shall issue on the judgment appealed from. The case shall be entered in the superior court for the same county at the return day next after the appeal has been taken and shall be there tried and determined as if it had been originally commenced there. In an action founded upon a liability which is joint, if some but not all of the defendants appeal, the case shall nevertheless be transferred as against all, and such judgment shall be entered in the superior court as justice may require; but a co-defendant who has not joined in the appeal shall not be liable for costs arising after the appeal was taken.

R. L. 173, § 97, amended.

Appeal to the superior court.

*Approved June 5, 1906.*

AN ACT RELATIVE TO THE APPOINTMENT OF GUARDIANS AD LITEM BY THE LAND COURT.

*Chap.452*

*Be it enacted, etc., as follows:*

SECTION 1. Section thirty-two of chapter one hundred and twenty-eight of the Revised Laws is hereby amended by inserting after the word "minors", in the third line, the words:—and for persons under disability,— by striking out the words "who are", in the fourth line, and by striking out the word "and", in the fifth line, so as to read as follows:—*Section 32.* Upon the return of the notice, and upon proof of service of all orders of notice issued, the

R. L. 128, § 32, amended.

Guardian ad litem.