

is, at the time when motion for sentence is made, found to the satisfaction of the court to be quick with child, the court shall not pass sentence upon her until it appears to its satisfaction that she is no longer quick with child.

If convict is insane after sentence, execution may be respited.

SECTION 4. If it appears to the satisfaction of the governor and council, that a convict under sentence of death has become insane, the execution of said sentence may be respited by the governor, by and with the advice of the council, from time to time for a stated period, until it appears to their satisfaction that the convict is no longer insane. If it appears to the satisfaction of the governor and council that a female convict under sentence of death, is quick with child, the execution of said sentence shall be respited from time to time for a stated period by the governor, by and with the advice of the council, until it appears to their satisfaction that she is no longer quick with child.

Execution of sentences may be respited from time to time.

SECTION 5. The governor, by and with the advice of the council, may respite from time to time the execution of a sentence of death for a stated period, so long as they may deem it necessary to afford him, by and with the advice aforesaid, an opportunity of exercising the constitutional right of pardon and of investigating and considering the facts of the case for that purpose.

Sheriff to make return to the clerk's office.

SECTION 6. When a sheriff inflicts the punishment of death upon a convict in obedience to a warrant from the court, he shall, as soon as may be, make return thereof under his hand, with his doings therein, to the clerk's office of said court.

Repeal.

SECTION 7. Sections twenty-four, twenty-five and twenty-eight of chapter one hundred and seventy-four of the General Statutes are hereby repealed, except as to persons, who are at the time of the passage of this act, under sentence for a capital crime; the sentences of such persons shall be executed in accordance with the laws in force when the sentences were pronounced.

SECTION 8. This act shall take effect upon its passage.

Approved April 26, 1876.

Chap. 167

AN ACT CONCERNING ATTACHMENTS.

Be it enacted, &c., as follows:

Arrest under a special precept.

SECTION 1. At any time during the pendency of any suit, libel, petition or other proceeding at law or in equity, before any police, district or municipal court, or before the superior or supreme judicial court, upon institution of

which an attachment is authorized by law, the court in which such cause is pending, may in its discretion, on motion, *ex parte*, upon good cause shown, direct by special precept that an arrest of the defendant, or an attachment of his property by trustee process, or otherwise, be made to secure the judgment or decree which the plaintiff may obtain in said cause: *provided*, that no arrest of the defendant shall be authorized unless the plaintiff or some person in his behalf, makes affidavit and proves to the satisfaction of the court the same facts that are now required to be proved to authorize arrests on mesne process.

Proviso.

SECTION 2. The form of such precepts shall be the same, so far as practicable, as that established for original writs of attachment and arrest; but the supreme judicial court may, by general rules, at any time establish forms therefor.

Form of precept.

SECTION 3. Such precepts may be served by any officer authorized to serve the original process in the cause, and shall be returnable as may be directed by the court issuing the same.

Service of precept.

SECTION 4. Attachments and arrests so made, shall be subject to all the provisions of law relating to attachments and arrests upon mesne process, so far as applicable.

Subject to laws of arrest upon mesne process.

Approved April 26, 1876.

AN ACT TO ALTER THE LIMITS OF FIRE DISTRICT NUMBER ONE IN THE TOWN OF SOUTH HADLEY. Chap. 168

Be it enacted, &c., as follows:

SECTION 1. Edwin H. Judd, Levi H. Judd, J. Dwight Judd, Watson S. Judd, Otis A. Judd, Henry Strong, Elizabeth B. C. Lathrop and Bessie C. Lathrop, all of South Hadley, in the county of Hampshire, with their estates, and all lands between the northerly boundary line of fire district number one, in the town of South Hadley, and a line beginning on the easterly side of the Connecticut River, at the mouth of White's Brook, and thence running north-easterly along said brook to the highway leading to the "head of the canal" (so called); thence easterly along said highway to the Old Falls Woods road; thence northerly along said road to a point opposite the north-westerly corner of land of George E. and Mary C. Lamb; thence easterly along the northerly line of land of said Lambs to land of Adoniram J. Clark; thence southerly along the westerly line of land of said Clark to land of

Fire District, No. 1, in South Hadley.

Boundaries changed.