

which are the subject matter of such proceedings, may be made by order of the court a party thereto, and be made chargeable with a share of the expenses of the same, in such manner and to such extent as justice shall require and the court may prescribe.

SECTION 2. This act shall take effect upon its passage.
Approved April 3, 1878.

Chap. 104

AN ACT REQUIRING RETURNS RELATING TO FIRES.

Be it enacted, &c., as follows :

Returns concerning fires to be made to insurance commissioner.

SECTION 1. The mayor and aldermen of each city, and the selectmen of each town in this Commonwealth, shall annually in the month of January return to the insurance commissioner a statement showing the number of fires which have occurred in their respective cities and towns during the preceding year. Such return shall also state the names of the owners or occupants of the premises damaged or destroyed, the cause or origin of the fire, if known, the amount of loss or damage and the insurance thereon.

Commissioner to furnish blanks for returns, and make report to legislature.

SECTION. 2. The insurance commissioner shall in due season prepare and forward to the officials named, blanks suitable for making the returns required by the first section of this act, and shall include in his annual report to the legislature a condensed statement of statistics derived from such returns.

SECTION 3. This act shall take effect upon its passage.
Approved April 3, 1878.

Chap. 105

AN ACT RELATING TO THE VENUE OF PROSECUTIONS FOR EMBEZZLEMENT.

Be it enacted, &c., as follows :

Trial, &c., in any county where property has been in possession.

A person charged with embezzlement may be complained of or indicted, tried and sentenced, in any county in which he had possession of the property alleged to have been embezzled.
Approved April 3, 1878.

Chap. 106

AN ACT TO PREVENT DECEPTION IN SALES OF BUTTER.

Be it enacted, &c., as follows :

Substances offered for sale, in semblance of butter and not made from milk or cream, to be branded "oleo-margarine."

SECTION 1. Every person who shall manufacture for sale, or who shall offer or expose for sale, any article or substance in semblance of butter, not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which the oil or fat of animals, not produced from milk, enters as a component part, or into which melted butter, or any oil thereof has been introduced to take the place of cream, shall distinctly and

durably stamp, brand or mark upon the top and side of every tub, firkin, box or package of such article or substance, the word "oleo-margarine," in letters at least one-half inch in size; and in case of retail sale of such article or substance in parcels, the seller shall in all cases deliver therewith to the purchaser a written or printed label bearing the plainly written or printed word "oleo-margarine;" and every sale of such article or substance not so stamped, branded, marked or labelled, is declared to be unlawful; and no action shall be maintained in any of the courts of this state to recover upon any contract for the sale of any such article or substance not so stamped, branded, marked or labelled.

Action on contract for sale not to be maintained, unless substance is so branded.

SECTION 2. Every person who shall knowingly sell, or offer to sell, or expose for sale, or have in his or her possession with intent to sell, contrary to the provisions of this act, any of the said article or substance required by the first section of this act to be stamped, marked or labelled as therein stated, or in case of retail sale without delivery of a label required by the first section of this act, shall for each such offence be punished by a fine of one hundred dollars; and on trial for such offence, proof of the sale, or offer to sell, or of the exposure for sale, shall be presumptive evidence of knowledge of the character of the article so sold, or offered, or exposed, and of knowledge that the same was not marked, branded, stamped or labelled as required by this act.

Penalty for selling, &c., contrary to the provisions of this act.

Approved April 3, 1878.

AN ACT AUTHORIZING THE SUPREME JUDICIAL COURT TO ADJOURN TO AND HOLD SPECIAL TERMS IN FALL RIVER.

Chap. 107

Be it enacted, &c., as follows:

SECTION 1. If the public business demands, the supreme judicial court may adjourn any established term within and for the county of Bristol from either Taunton or New Bedford to Fall River, in the same manner and with the same effect as it may now adjourn from one shire town to another; and any adjournment so made shall be subject to all the provisions of law relating to adjournments from one shire town to another.

Supreme judicial court may adjourn any regular term from Taunton or New Bedford, to Fall River.

SECTION 2. The justices of the supreme judicial court may hold at Fall River, within and for the county of Bristol, any special term authorized by the provisions of chapter four hundred and thirty-three of the acts of the year eighteen hundred and sixty-nine.

Special terms of court under 1869, 433.

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

Approved April 3, 1878.