

town or city where such sheep or lambs were maimed or killed, the amount of such order, and all reasonable charges attending the same; and the selectmen of the town or mayor of the city where the dog or dogs doing such damage are owned, shall cause all dogs known and proved to have killed any sheep or lambs as aforesaid, to be destroyed as provided in the first section of this act: *provided, however*, that the owner or owners of such dog or dogs may compound for the life of said dog or dogs, on such terms as shall be agreed upon between the said owner or owners and the selectmen of such town or the mayor of such city.

Proviso.

Penalty on public officers refusing, &c.

SECTION 6. Any mayor, selectman, sheriff, deputy-sheriff or constable, who shall refuse or neglect to perform any of the duties imposed upon him by this act, shall, for every such refusal or neglect, forfeit and pay the sum of five dollars, which shall go to and become a part of the dog fund of the city or town in which such officer resides.

Repeal.

SECTION 7. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

Act not to apply to cities unless accepted.

SECTION 8. Nothing in this act shall apply to any city in this Commonwealth, unless the same shall have been accepted by a vote of the city council of such city.

SECTION 9. This act shall take effect from and after its passage.

Approved March 27, 1858.

Chap. 140 AN ACT MAKING FINAL APPROPRIATIONS FOR THE HOSPITAL FOR THE INSANE, AT NORTHAMPTON.

Be it enacted, &c., as follows :

Appropriations to complete hospital.

SECTION 1. The sum of fifty-eight thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the ordinary revenue, in lieu of any unpaid balances of former appropriations, all of which balances are hereby cancelled, to complete in all respects the construction and equipment of the hospital for the insane at Northampton, to be applied under the direction of the board of trustees of said hospital, as follows :

To complete the construction of the hospital, in addition to two hundred and forty-two thousand five hundred and sixty-one dollars and eighty-two cents, heretofore paid by the commissioners appointed under chapter four hundred and fifty-four of the acts of the year one thousand eight hundred and fifty-five, there is hereby appropriated a sum not exceeding eleven thousand six hundred and ninety-six dollars.

To complete the furnishing and providing the hospital for occupancy, including grading the grounds and making all necessary preparations whatsoever for the reception of

patients, in addition to fourteen thousand two hundred and twenty-one dollars and ten cents, already expended, there is hereby appropriated a sum not exceeding thirty-four thousand six hundred and thirty-eight dollars and seventy-three cents.

To provide a working capital to be used in the purchase of provisions and other necessary articles of current consumption, in anticipation of the receipts from patients, a sum not exceeding ten thousand dollars.

To meet any contingencies that may arise during the present year for which other appropriations may be insufficient, a sum not exceeding one thousand six hundred and sixty-five dollars and twenty-seven cents.

SECTION 2. This act shall take effect from and after its passage.

Approved March 27, 1858.

AN ACT CONCERNING THE ASSIGNEES OF INSOLVENTS.

Be it enacted, &c., as follows:

SECTION 1. In all cases arising under the insolvent laws of this Commonwealth, the choice of assignee or assignees made by the creditors, shall be subject to the approval of the judge of insolvency; and whenever, from any cause, it shall, in his judgment, be needful or expedient, he may order a new election, and may remove the assignees already chosen; or, he may add by his own appointment, one or more assignees to those already chosen.

SECTION 2. No election of assignees shall be held except at a regular meeting, or a meeting called for that purpose; nor until after all known creditors of the insolvent shall, in such manner and by such person as the judge shall prescribe, be notified thereof in writing.

SECTION 3. Any assignee may resign his trust, and may be discharged therefrom, if the judge shall accept his resignation; and any vacancy created in the office of assignee may be filled by election, or by appointment of the court, as the judge shall determine: *provided*, that no resignation or removal of any assignee shall, in any way, release him from the duty of doing and performing all things requisite on his part, for the proper closing up of his trust, and the transmission thereof to his successors; nor shall the same in any way affect the liability of the principal or any surety on the official bond given by the assignee in the case.

SECTION 4. In case of any such removal or resignation, the judge of insolvency may pass all lawful orders he may deem expedient, to secure the proper fulfilment of the duties of the assignee so removed or resigned, under the circum-

Chap. 141

Choice of assignee subject to approval of judge, &c.

Election of assignees to be held only at regular meetings, &c.

Resignation of assignee.
Judge to determine manner of filling vacancy.

Proviso

In case of removal, &c., of assignee, judge to pass orders for fulfilment of duties.