

SECTION 2. It shall be unlawful to take or kill a hare or rabbit by a trap, snare or net, or for the purpose of killing a hare or rabbit to construct or set a trap, snare or net, or to use a ferret. And the possession of a ferret in a place where hares or rabbits might be taken or killed shall be prima facie evidence that the person having it in possession has used it for taking and killing such animals contrary to law. Ferrets which are used in violation of the provisions of this act shall be confiscated.

Taking, etc., of hares and rabbits regulated.

SECTION 3. The provisions of the preceding section shall not apply to the trapping, other than by snare, of hares and rabbits upon his land by an owner of land, or by a member of his family if authorized by him, between the fifteenth day of October and the first day of December.

Provisions of section 2 not to apply in certain cases.

SECTION 4. Whoever violates any provision of this act shall be punished by a fine not exceeding twenty-five dollars for each offence.

Penalty.

SECTION 5. Section twelve of chapter ninety-two of the Revised Laws, as amended by chapter two hundred and seventy-eight of the acts of the year nineteen hundred and six, and section eleven of said chapter ninety-two, as amended by chapter two hundred and forty-one of the acts of the year nineteen hundred and six, and by chapter three hundred and twenty-eight of the acts of the year nineteen hundred and nine are hereby repealed.

Repeal.

*Approved May 18, 1910.*

AN ACT RELATIVE TO APPEALS TO THE SUPERIOR COURT  
IN CERTAIN CIVIL CASES.

*Chap. 534*

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

SECTION 1. Section ninety-seven of chapter one hundred and seventy-three of the Revised Laws, as amended by chapter four hundred and fifty-one of the acts of the year nineteen hundred and six, is hereby further amended by inserting after the word "judgment", in the sixth line, the words:— rendered in accordance with the provisions of section three of chapter one hundred and eighty-one and in any other case within six days after the entry of the judgment, — 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

R. L. 173, § 97, etc., amended.

Appeals to the superior court.

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 rendered in accordance with the provisions of section three of chapter one hundred and eighty-one, and in any other case within six days 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,  
§ 98,  
amended.

Certain  
appeals not  
allowed  
without  
a bond.

SECTION 2. Section ninety-eight of said chapter one hundred and seventy-three is hereby amended by striking out the words "twenty-four hours", in the seventh line, and inserting in place thereof the words:— six days, — so as to read as follows:— *Section 98.* No appeal, other than an appeal by a county, city, town or other municipal corporation, from a judgment of a police, district or municipal court in any civil action or proceeding, except an action of summary process under the provisions of chapter one hundred and eighty-one, shall be allowed, except as provided in sections one hundred and one hundred and one, unless the appellant, within six days after the entry of judgment, or within such further time as the justice or clerk for cause shown may allow, files a bond executed by him or by his attorney of record on his behalf, payable to the appellee in such reasonable sum and with such surety or sureties as may be approved by the appellee or by the justice or clerk, conditioned to enter and prosecute his appeal with effect, and to satisfy any judgment for costs which may be entered against him in the superior court upon said appeal within thirty days after the entry thereof.

R. L. 173,  
§ 99,  
amended.

SECTION 3. Section ninety-nine of said chapter one hundred and seventy-three is hereby amended by striking out the words "twenty-four hours", in the sixth line, and inserting in place thereof the words:— six days, — so as to

read as follows:— *Section 99.* No appeal other than an appeal by a county, city, town or other municipal corporation, from a judgment of a trial justice in any civil action or proceeding, except an action of summary process under the provisions of chapter one hundred and eighty-one, shall be allowed, except as provided in the two following sections, unless the appellant, within six days after the entry of judgment, or within such further time as the trial justice for cause shown may allow, recognizes to the appellee with sufficient surety or sureties, who shall be approved by the appellee or by the justice, in a reasonable sum to be fixed by the justice or approved by the appellee, conditioned to enter and prosecute his appeal with effect, and to satisfy any judgment for costs which may be entered against him in the superior court upon said appeal within thirty days after the entry thereof. In determining the sufficiency of the sureties upon such recognizance, the justice may examine upon oath the persons who are offered as sureties and all other witnesses who are produced by either party.

Certain appeals not allowed without surety.

*Approved May 18, 1910.*

AN ACT TO AUTHORIZE THE TOWN OF BRAINTREE TO CONSTRUCT A SYSTEM OF SEWERAGE.

*Chap. 535*

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

SECTION 1. The town of Braintree is hereby authorized to lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal; and, for the purpose of providing better surface or other drainage, guarding against pollution of waters, and otherwise protecting the public health, may lay, make and maintain such main drains as it deems best. For the purposes aforesaid the town may, within its limits, deepen, widen and clear of obstruction any brook, stream or water course, and may straighten or alter the channels or divert the waters thereof, and may lay, make and maintain sub-drains, and, with the approval of the state board of health, discharge the water into any brook, stream or water course within the town.

Town of Braintree may construct a system of sewerage.

SECTION 2. The town shall elect a board of three commissioners, to be called sewer commissioners, who shall be

Sewer commissioners, election, terms, etc.