

ance, and eight cents a mile for travel out and home. The fees of jurors in all other cases shall remain as now fixed by law.

SECTION 2. This act shall take effect upon its passage.

Approved March 17, 1869.

AN ACT PROVIDING FOR NOTICE OF THE FILING OF RESCRIPTS.

Chap. 74.

Be it enacted, &c., as follows :

SECTION 1. Whenever a rescript shall be filed in any case or procedure in either the supreme judicial court or in the superior court in any county, it shall be the duty of the respective clerks of said courts forthwith to give notice thereof to an attorney of record of each party, and to transmit a copy of said rescript to the reporter of decisions.

When a receipt is filed in court, clerk to notify attorneys of record, and transmit copy to reporter of decisions.

SECTION 2. This act shall take effect upon its passage.

Approved March 17, 1869.

AN ACT RELATING TO THE FISHERIES IN DUKES COUNTY.

Chap. 75.

Be it enacted, &c., as follows :

SECTION 1. Chapter one hundred and seventy-nine of the acts of the year eighteen hundred and sixty-eight shall not apply to any person catching smelts in any seine or net in any of the waters of Dukes County, while fishing for herring or alewives.

Chapter 179 of 1868 not to apply in Dukes County, when fishing for herring, &c.

SECTION 2. This act shall take effect upon its passage.

Approved March 17, 1869.

AN ACT TO EXTEND THE PROVISIONS OF THE ACT OF THE YEAR EIGHTEEN HUNDRED AND SIXTY-EIGHT TO REGULATE FISHING IN CONNECTICUT RIVER.

Chap. 76.

Be it enacted, &c., as follows :

SECTION 1. Any person who shall take, or aid or assist in taking, from the Connecticut River, any shad at any other time than between the fifteenth day of March and the fifteenth day of June in each year, shall forfeit and pay for each offence the sum of one hundred dollars ; and any person who shall take, or aid or assist in taking, from the Connecticut River, any salmon before the fifteenth day of March, in the year one thousand eight hundred and seventy-two, shall forfeit and pay for each offence the sum of fifty dollars.

Penalty for taking shad between March 15 and June 15.

SECTION 2. Nothing in this act contained shall apply to the taking of any fish by order of the fish commissioners, for the purpose of the natural or artificial propagation of the same.

Penalty for taking salmon at any time before March 15, 1872.

Commissioners may take fish.

SECTION 3. No person shall set or draw, or shall assist or aid in setting or drawing, any net or seine for the purpose of taking fish in Connecticut River, at any time between the setting of the sun on Saturday evening of each week and the

S seines not to be set or drawn between sunset on Saturday and sunrise on Monday.

Weirs, pounds, &c., to be kept open during same period.

Penalties.

rising of the sun on the succeeding Monday morning; and the owners of all weirs, pounds and set-nets of any description, placed in the waters of said river, shall cause the same to be and remain open and free for the passage of fish during the said period in each week, in such manner as to satisfy the fish commissioners. And every person who shall violate the provisions of this section, and every person owning or controlling, in whole or in part, any pound or weir, and failing to comply with the requirements of this section, shall forfeit and pay the sum of four hundred dollars to the treasurer of the state for each offence; and any person setting or using, or aiding or assisting in setting or using, any pound, weir or set-net in said river, between the fifteenth day of March and the fifteenth day of June in each year, the meshes whereof are less than five inches in extent, shall also forfeit and pay the sum of four hundred dollars for each offence, and such pounds, weirs and set-nets shall be forfeited to the Commonwealth.

Fish wardens to be appointed.

SECTION 4. The mayor and aldermen of any city and the selectmen of any town bordering on the Connecticut River, shall appoint and fix the compensation of one or more suitable persons as fish wardens within their respective cities and towns, who shall make complaint of all offences under this act.

Repeal.

SECTION 5. Chapter one hundred and thirty of the acts of the year eighteen hundred and sixty-eight is hereby repealed.

Approved March 17, 1869.

Chap. 77. AN ACT MAKING APPROPRIATIONS FROM THE MOIETY OF THE INCOME OF THE SCHOOL FUND APPLICABLE TO EDUCATIONAL PURPOSES.

Be it enacted, &c., as follows:

Appropriations authorized.

SECTION 1. The sums hereinafter mentioned in this section are appropriated, and shall be allowed and paid out of the moiety of the income of the school fund applicable to educational purposes, for the year eighteen hundred and sixty-nine, to wit:

Normal schools.

For the support of the four state normal schools for the present year, the sum of forty thousand dollars.

Teachers' institutes.
G. S. 35.
Pupils.

For teachers' institutes, the sum of three thousand dollars.

For aid to pupils in the state normal schools, a sum not exceeding four thousand dollars.

Normal school buildings.

For the enlargement of the Framingham normal school building, the sum of twenty-five hundred dollars. For the enlargement of the Westfield normal school building, the sum of twelve thousand dollars, and for furnaces for the same, the sum of seven hundred and fifty dollars; the said