

twenty-five dollars nor more than fifty dollars, for each and every offence as specified in section one, except where mud is dumped by mud scows or dredging scows, then the fine to be imposed is to be not less than fifty dollars nor more than one hundred dollars, for each and every scow load dumped into the river.

Where prosecuted.

Proviso.

18. SEC. 3. That violations of this act may be prosecuted before any justice of the peace or any court having jurisdiction of violations of ordinances in any town or city of this state, where said offence shall be committed; *provided, however*, that nothing in this act shall be held to interfere with improvements made upon lands under water which have been or may be granted or leased by the riparian commissioners, or which have been granted directly by legislative act, but all such improvements shall be so made as to deposit, dump or place all filling behind a bulk head, so that no portion of such filling in shall escape on to the lands under water adjoining such grantee or lessee of the riparian commissioners, or such grantee or lessee by direct legislative act.

Criminal Procedure.

1. Prosecutor of pleas in certain counties may appoint a special officer.
2. Section 90 of criminal procedure act repealed.
3. Judge to sign and settle bills of exception.
4. In case of death of judge without signing.
5. Bills of exception, what to contain.

Supplement to an act entitled "An act regulating proceedings in criminal cases," approved March twenty-seventh, one thousand eight hundred and seventy-four.

P. L. 1877, p. 97.

Approved March 8, 1877.

Prosecutor of the pleas in certain counties may appoint a special officer.
Powers and rights of.

Proviso.

1. That in every county in this state having a population of over one hundred thousand inhabitants, the prosecutor of the pleas for said county may appoint some suitable person to act as a special officer for the detection, arrest, indictment and conviction of offenders against the laws; such person so appointed shall possess all the powers and rights, and be subject to all the obligations of constables and police officers in any county of this state, and before such person shall enter upon his duties as said officer his appointment shall be approved by a majority of all the judges of the court of general quarter sessions of the peace of said county, and said person so appointed shall receive the same per diem allowance and compensation, and no more, as is by law allowed for the same services to constables in the respective counties where said persons shall be appointed; *provided*, that said per diem allowance and compensation shall be paid only for the time such officer shall be actually employed, which time shall be certified to the county collector by the said prosecutor or the sheriff of said county.

Supplement.

Approved March 9, 1877.

P. L. 1877, p. 138.

Section to be repealed recited.

2. SEC. 1. That the ninetieth section of the act to which this is a supplement, and which as amended by the act entitled "An act to amend certain errors in the revised laws passed last session," (which act was passed April ninth, eighteen hundred and seventy-five) is in these words:

"90. That the two hundred and forty-second, the two hundred and forty-third, the two hundred and forty-fourth, the two hundred and forty-fifth, the two hundred and forty-sixth sections of the act entitled 'An act to regulate the practice of courts of law,' shall be deemed, taken and adjudged to extend to trials of indictments for crimes and misdemeanors, which by law are punishable by imprisonment at hard labor," be and the same is hereby repealed.

3. SEC. 2. That the ninety-first section of the act to which this is a supplement, and which as amended by said act of April ninth, eighteen hundred and seventy-five, now reads as follows:

“91. That if on the trial of any indictment heretofore had in any court in this state, for any crime or misdemeanor included within the provisions of the next preceding section of this act, any exception hath been taken or had to any decision of the court during the trial of such indictment, to the prejudice or injury of any defendant in the same indictment, it shall be the duty of the judge to settle a bill of the said exceptions, and to sign and seal the same bill, when two counsellors at law shall have certified the said exceptions to have been well taken, to the end that the same be returned with a writ of error to the court having cognizance thereof, and to the end that speedy justice may be done,” shall be and the same is hereby amended so that it shall be enacted and read as follows:

91. That if on the trial of any indictment in any court of this state, for any crime or misdemeanor, any exception shall be taken to any decision of the court during the trial of such indictment, to the prejudice or injury of any defendant in the same indictment, it shall be the duty of the judge to settle a bill of such exceptions, and to sign and seal the same bill, to the end that the same be returned with a writ of error to the court having cognizance thereof, and to the end that speedy justice may be done.

4. SEC. 3. That when such exceptions shall have been taken and the judge or judges of the court aforesaid shall have died without having sealed the same, the cause shall be heard in the court to which the writ of error is returnable, upon such exceptions being stated and agreed to in writing by the attorney-general or prosecutor of the pleas on the one side, and the attorney of the defendant on the other; or if such attorneys cannot agree thereto, the said exceptions shall be settled and sealed on five days' notice by any justice of the supreme court, as the same shall be found by him to have been in fact taken, and shall be returned with the writ of error.

5. SEC. 4. That the bill of exceptions taken under this act shall contain only so much of the evidence as may be necessary to present the questions of law upon which exceptions were taken at the trial, and it shall be the duty of the court or judge upon the settlement of the bill to strike out of the same all the evidence and other matters which shall not have been necessarily inserted.

Descent.

A supplement to an act directing the descent of real estate, approved April sixteenth, one thousand eight hundred and forty-six.

Approved March 9, 1877. P. L. 1877, p. 191.

1. That when any illegitimate person shall die seized of any lands, tenements or hereditaments, in his or her own right, in fee simple, without devising the same in due form of law, and without leaving lawful issue, (and leaving a mother), then the inheritance shall go to the mother of the said person so seized; *provided, always*, that nothing contained in this act shall be construed or taken to bar or injure the rights or estate of a husband, as a tenant by the curtesy, or a widow's right of dower, or to make void or in any way affect any marriage settlement.

Disorderly Persons.

A supplement to the act entitled “An act concerning disorderly persons,” approved April ninth, one thousand eight hundred and seventy-five.

Approved March 9, 1877. P. L. 1877, p. 186.

1. That in all cities in this state having a population of over fifteen thousand inhabitants and less than thirty-five thousand inhabitants, and having police courts or police justices, paid by a fixed salary, all persons