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For the Opinion.
"Now is the Accepted Time."
Today the Saviour calls,
Enter into Zion's walls,
See exciting shadows fall,
Now is the accepted time!

Compagnons de la Right
Are falling fast from slat,
And hasten on the night,
Now is the accepted time!

Many with us begin
The race from child to man,
And none wear in the Van-
Now is the accepted time!

But they have passed before,
Have reached death's further shore,
Will greet us here no more,
Now is the accepted time!

Our grave will soon be spent,
Death's how may now be bent,
He comes quickly now,
Now is the accepted time!

Why longer live ye late!
God's summons, ye, obey!
There will be no more time,
Now is the accepted time!

Laws of Vermont, A. D. 1867.
Public Acts, designed by the Se-
cretary of State for publication in the
Laws of Vermont, A. D. 1867.

An Act for the more equal distribu-
tion among creditors of property at-
tached on mesne process.

It is hereby enacted by the General
Assembly of the State of Vermont,
That in any action brought by a creditor
on a writ of attachment, the plaintiff
shall, before the first return of the writ,
pay to the clerk of the court the sum of
ten dollars, to be retained by the clerk
for the use of the court, and the same
shall be paid to the plaintiff at the time
of the first return of the writ.

When the second or subsequent
creditor shall desire to attach property
or estate which has been already taken
under a writ of attachment, he, in order
to create a lien upon such property,
shall, before the first return of the writ,
pay to the clerk of the court the sum of
ten dollars, to be retained by the clerk
for the use of the court, and the same
shall be paid to the plaintiff at the time
of the first return of the writ.

When in any action returnable before
the county court, there shall be judgment
for a less sum than the amount of the
claim, the plaintiff shall, before the first
return of the writ, pay to the clerk of
the court the sum of ten dollars, to be
retained by the clerk for the use of the
court, and the same shall be paid to the
plaintiff at the time of the first return
of the writ.

When either of the attachments or any
property is by virtue of a county court
suit or suit of sequestration, this act
shall apply, and the clerk of the court
shall, before the first return of the writ,
pay to the clerk of the court the sum of
ten dollars, to be retained by the clerk
for the use of the court, and the same
shall be paid to the plaintiff at the time
of the first return of the writ.

When either of the attachments or any
property is by virtue of a county court
suit or suit of sequestration, this act
shall apply, and the clerk of the court
shall, before the first return of the writ,
pay to the clerk of the court the sum of
ten dollars, to be retained by the clerk
for the use of the court, and the same
shall be paid to the plaintiff at the time
of the first return of the writ.

Sec. 5. If, before the expiration
of said forty days, any such
certificate of claim shall have been
filed, it shall be the duty of the officer
to keep the property taken or the
proceeds of sale thereof, until the
amounts due the respective credi-
tors, so claiming, shall be ascertained
by final judgment; and such delay
shall not dissolve the lien or secu-
rity obtained, whether the same
be on personal property by trustee
process, or on real estate; but such
lien or security shall remain good
for forty days of time after the last
of such final judgment shall be ren-
dered, or the sums be otherwise satis-
fied and settled.

Sec. 6. When the writ of the
first attaching plaintiff, or either of
said claimants, is made returnable to
any other county than the one in
which such attachment of property
shall be made, or when either of
said plaintiffs shall have sued before
a justice of the peace and shall ob-
tain final judgment before such jus-
tice, such party shall within ten
days after final judgment in such
writ procure from the clerk of the
court of such county in which such
judgment is rendered, or from such
justice, a certified copy of record of
such judgment, and file the same
with the clerk of the county court
in such county in which such prop-
erty was taken, and in case such
plaintiff shall omit to do so, the di-
vision of the proceeds of attachment
herein mentioned, shall be made to
the plaintiffs or claimants other
than those so neglecting.

Sec. 7. If any one of such plain-
tiffs attempting to set security on
the same thing shall suspect any
other one of collusion with the de-
fendants, or of attempting to pro-
cure a judgment for a greater sum
than is just and right, it shall be
lawful for such plaintiff, any time
before final judgment, to file in the
court where such suspected suit is
pending a declaration under oath,
of such his suspicions, and of his
desire to be heard in the premises;
and the court thereupon shall give
to such declarant as full an oppor-
tunity of defending such suit as be-
comes to a principal defendant, and
the court shall have full discretion
whether to hear the original defend-
ent and such declarant together at
the same time, or to allow separate
pleadings and separate issues. But
if judgment shall be rendered on
the declarant's defence for a less
sum than in the issue joined by the
defendant, there shall be judgment
for costs in favor of declarant
against such suspected plaintiff,
and together with his proportion
of such lien acquired by attachment
shall be based on the smallest of
the two findings.

Sec. 8. When in any action
returnable before the county court,
there shall be judgment for the
plaintiff during the first term there-
of after service of his writ, and also
when any plaintiff shall take the
defendants confession of judgment,
such judgment shall not be con-
sidered against such second or sub-
sequent creditors as may before the
expiration of said forty days, attach
and claim to participate as afore-
said in the same security. But, on the
expiry thereof, any or all of said
claimants may, at any time within
twenty days of the second term of
said county court, cite such plaintiff
before the county court and declare
against him, as in the last section
permitted, and have against him the
hearing, and privileges, and the rem-
edies therein specified.

Sec. 9. The clerk of each county
shall keep files of the copies fur-
nished him under this act. He shall
also keep a tabular register in which
he shall enter the attachments, cop-
ies of which are brought him in pur-
suance of this act, placing in one
column the defendants' names, in an-
other the plaintiffs' names, in an-
other the date of the service, in an-
other the name of the officer, in an-
other the court to which the writ
was returnable, in another the ad-
dumnum, and in another column a
short statement of what property is
attached; and such clerk shall at
any time exhibit such register and
answer in writing any inquiry as to
what subsequent creditors
have claimed to participate
in any one attachment, for writing
which answer he shall be entitled to
receive twenty-five cents; and such
certificate of such clerk in writing
shall be sufficient evidence to justify
any sheriff in permitting that no
other attaching plaintiffs are claim-
ing to participate than those so cer-
tified by the clerk, and dividing the
proceeds of sale accordingly.

Sec. 10. When any creditor,
whether first in attaching, or one
of those claiming participation, shall
deem his security insufficient, he
may at any time before the expira-
tion of said forty days, cause fur-
ther seizure to be made and more
property to be attached; and for
that purpose, the clerk shall, in case
such writ has been already entered
in court, issue a duplicate thereof
including the return already made
thereon, and certify thereon that it
is issued for additional attachment,
and said copy, so certified, shall
have the same force and validity, as
had the original process to justify
and require a sheriff or other legal

officer to attach property. The clerk
shall in such case note such issue of
such duplicate in his register.

Sec. 11. When any creditor
shall make additional attachment,
as in the last preceding section
mentioned, the sheriff or other officer
to whom such writ shall be served
shall first send to the clerk of the
court in the county where said writ
was first served, a copy of his re-
turn thereon; and the creditor or
plaintiff who has thus made ad-
ditional attachment shall cause it to
be filed, and not be entitled to re-
ceive any portion of the proceeds of
the first attachment until he shall,
either furnish bonds, with surety to
the satisfaction of the clerk, that he
will bring to the officer who made
the first attachment for the division
of all the proceeds of such second or
additional attachment, or shall ac-
tually pay to such officer such pro-
ceeds; and a neglect to comply with
this requirement for ten days after
receiving the proceeds of such ad-
ditional attachment, shall forfeit all
his lien under his first attachment,
and the proceeds thereof shall be
divided among the other plaintiffs
who shall have taken said property,
as in the first section of this act pre-
scribed.

Sec. 12. Whenever the prop-
erty attached successively, as afore-
said, by different plaintiffs, shall
turn out to be of contested owner-
ship, and shall be brought, either
against the officer, or either of the
plaintiffs, for taking the same,
as also when any suit is brought,
or such officer fears a suit will be
brought, by reason of doubt whether
such property is attached, he may
divert such property to the person
and at the place where he took the
same, and such return shall be in
mitigation of damages, unless the
plaintiffs, or their attorneys, who
have caused him to attach the same
shall within six days after being re-
quested, furnish bonds with sure-
ty reasonably satisfactory to said
officer that they will defend said
suit and pay each his part of the
damages, cost and reasonable ex-
pense in the same proceeds are by
this act divisible among such plain-
tiffs; and if a portion only of such
plaintiffs furnish such bonds, and
others refuse or neglect to do, the
ultimate proceeds of the attachment
shall be applied in satisfaction or
part satisfaction of those plaintiffs
only who furnish such security.

Sec. 13. When different plain-
tiffs shall have acquired liens on
the same property, thing or chose
in action by virtue of this act, the
officers who shall levy execution of
the first attaching writ, shall di-
vide the proceeds of sale of prop-
erty to those judgment creditors who
have attached in conformity with
this act, and complied with the pro-
visions thereof, in the proportions
herein before specified.

Sec. 14. This act shall take ef-
fect from its passage, but shall not
apply to or impair any attachment
which has already been made.

Sec. 15. When real estate shall
be attached, instead of dividing the
proceeds of its sale such estate
shall be set off on execution to such
plaintiffs in common, but in prop-
ortion to their respective judg-
ments.

Sec. 19. When either of the at-
tachments or any property is by
virtue of a county court suit or suit
of sequestration, this act shall apply.
When an officer serving a county
court writ shall have already attached
on one or more justice writs, he
shall file with the clerk copies of
such justice writs and the returns
thereon, as herein before required
in case of other prior attachments.

Approved Nov. 21, 1867.

An Act in addition to chapter thirty-
three of the General Statutes,
entitled "Of process."
It is hereby enacted, &c.
Sec. 1. Whenever any attach-
ment shall have been made upon
mesne process issued from any court
in this State or any live animals, or
any goods of chattels liable to
perish or waste, or to be greatly re-
duced in value by keeping, or which
cannot be kept without great or dis-
proportionate expense, and the parties
to such attachment shall have
not consented in writing to the sale
of such property upon such process,
in the manner provided in section
thirty-nine of chapter thirty-three
of the General Statutes, any party
in interest in the action whenever
such attachment is made, may ap-
ply to the court in which such act
is pending, at any term thereof, or
to the judges thereof in vacation, for
an order of sale of such property,
by the officer attaching the same.

Sec. 2. At least ten days' no-
tice of such application shall be
given to all the parties to such ac-
tion, to be served in the same man-
ner as a writ of summons, and in
case any such party shall not reside
in this State, service shall be made
upon his agent or attorney therein,
and if he shall have no agent or
attorney therein, such service shall
be made on the person having the
custody of said property at the time
of said attachment, and if no such
person can be found within this
State, then an order of publication
of such notice shall be made by
such court or judges thereof, in such

newspaper or newspapers as they
shall direct, for three weeks suc-
cessively, the last of which publica-
tion shall be at least ten days be-
fore the hearing of such application.

Sec. 3. Upon hearing such ap-
plication, if such court or judges
are satisfied that said property is
within the description given in the
first section of this act, they may
make an order of sale thereof to be
executed by the officer holding said
property, and shall issue a warrant
to each officer accordingly, and such
order and warrant shall be duly re-
corded in said court.

Sec. 4. The officer, to whom
such warrant is directed, shall pro-
ceed to appoint three disinterested
and judicious persons acquainted
with the value of such property as
appraisers thereof, and they shall
be sworn to a faithful discharge
of such duty, and shall appraise said
property at its full and just value in
money, and thereupon said officer
shall advertise and sell said prop-
erty in the same manner, in all re-
spects as is provided by law, for the
sale of property on execution; pro-
vided, that if the owner of said
property or his agent or attorney
shall at any time before such sale
tender to said officer the amount of
said appraisal in money or give sat-
isfactory security for the payment
thereof, said officer shall receive
such tender or take such security
and deliver such property to such
owner for the purpose, and as pro-
vided in section forty-four of said
chapter thirty-three.

Sec. 5. This act shall be con-
strued and taken as in addition to
the provisions of chapter thirty-three
of the General Statutes, and not as
repealing the same.

Sec. 6. This act shall take ef-
fect from its passage.
Approved Nov. 21, 1867.

An Act in relation to the change of
venue in civil actions.
It is hereby enacted, &c.
Sec. 1. Whenever it shall ap-
pear to any judge of the supreme
court, holding the term of the
county court in any county in this
State that there is good reason to believe
that any civil action pending in
such court cannot be impartially
tried in the county where the same
is pending, it shall be the duty of
such judge, on the petition of either
party to said suit, to order said
cause to be removed for trial to the
county court in some other county
in this State.

Sec. 2. The petition to remove
a cause as aforesaid shall be verified
by affidavit and served upon the
adverse party in like manner as
writs of summons are required to be
served; and if the adverse party re-
sides without this State it may be
served upon the attorney of record
in said cause.

Sec. 3. Whenever an order is
made for the removal of a civil
cause from one county court to an-
other, as is provided in the first sec-
tion of this act, and such an order
is filed with the clerk of the court
in which said cause is pending, it
shall be the duty of such clerk forth-
with to transmit to the clerk of the
court to which said cause is ordered
to be removed all the original pa-
pers in said cause, together with a
certified copy of said order of removal;
and thereupon it shall be the duty
of the clerk of the court to which
said cause is ordered to be removed,
to enter the cause upon the docket
of said court, together with the docket
entries as certified by the clerk
of the court from which said cause
is ordered to be removed; and said
cause shall proceed to trial in like
manner and to all intents and pur-
poses the same as if it had been
originally brought on and entered
upon the docket of said court.

Sec. 4. All attachments, recog-
nitions, bonds and orders in said
cause, made before said removal,
shall have the same force and valid-
ity as if the cause had continued in
the court to which originally
brought.

Sec. 5. This act shall take effect
from its passage.
Approved Nov. 21, 1867.

An Act to provide for the disposi-
tion of the proceeds of sales of per-
sonal property on mesne process.
It is hereby enacted, &c.
Sec. 1. When property shall be
sold on mesne process, returnable to
the county court, under the provi-
sions of chapter thirty-three of the
General Statutes, the money realiz-
ed from such sales, shall, upon ap-
plication of either party to such pro-
cess, be paid into court, and the
clerk thereof shall invest or deposit
said money during the pendency of
the suit as said court shall direct;
and when the officer shall have so
paid money into court, he shall not
be responsible to either party there-
for.

Sec. 2. This act shall take effect
from its passage.
Approved Nov. 9, 1867.

An Act relating to liens at law.
It is hereby enacted, &c.
Sec. 1. Any person holding per-
sonal property by virtue of a lien
implied by law, may, to insure the
payment of the debt secured by
such lien, cause said property to be
attached on mesne process, and said
attachment shall not be deemed or held to be
a waiver of such lien.
Approved Nov. 20, 1867.

An Act in addition to section four
of chapter one hundred and eight
of the General Statutes, relating
to mechanics' liens.
It is hereby enacted, &c.
Sec. 1. The real estate of a mar-
ried woman may be charged with a
mechanic's lien, under provisions of
chapter one hundred and eight of
the General Statutes, when she as-
sents to the contract sought to be
enforced thereby, and in all suits
brought to enforce the same, the
wife may be joined as defendant
with the husband, and coverture shall
be no defence thereto.
Approved Nov. 21, 1867.

An Act enlarging the jurisdiction of
justices of the peace in certain
cases.
It is hereby enacted, &c.
Sec. 1. Suits arising under sec-
tion six of chapter one hundred and
two of the General Statutes, may be
brought before a justice of the peace
when the amount claimed does not
exceed two hundred dollars, provid-
ed, however, that either party may
appeal from the judgment therein
rendered.
Approved Nov. 6, 1867.

An Act to extend and define the
powers of masters in chancery.
It is hereby enacted, &c.
Sec. 1. Masters in chancery
shall have power to sign subpoenas
and take recognitions for costs to
all bills in chancery and petitions
for foreclosure of mortgages return-
able to the court of chancery within
and for the county in which such
masters may reside, and also to sign
original writs returnable to the
county court, within and for the
county in which such masters re-
side.

Sec. 2. No master in chancery
shall act as such in any judicial case
or do any judicial act wherein he
shall be a party, or shall be related
to either party within the fourth
degree of affinity or consanguinity,
or shall be interested in the event
thereof, or shall be of counsel to ei-
ther party.

Sec. 3. This act shall take effect
from its passage.
Approved Nov. 6, 1867.

An Act in amendment of section
forty-five of chapter one hundred
and thirteen of the General Stat-
utes, entitled "Offences against
private property."
It is hereby enacted, &c.
Sec. 1. Section forty-five of chap-
ter one hundred and thirteen of the
General Statutes, is hereby so
amended as to read as follows:
Any person who shall intentional-
ly injure or destroy any shade or
ornamental tree growing in any
highway, public park, common bur-
ial ground or cemetery in this State,
(except as authorized in section forty-
six and forty-seven of chapter one
hundred and thirteen of the Gen-
eral Statutes) shall, for any such
offense, forfeit and pay a sum not
less than five dollars nor more than
fifty dollars, to be recovered in an action
founded on this statute, by the
person, association or corpora-
tion owning such tree, or by the se-
lectmen of the town in which such
highway, park, common or burial
ground is situated, where the tree
or trees are so injured or destroyed.

Sec. 2. This act shall take effect
from its passage.
Approved Nov. 20, 1867.

An Act to amend section three of
chapter one hundred and eight of
the General Statutes, in relation
to mechanics' liens.
It is hereby enacted, &c.
Sec. 1. Section four of an act en-
titled "An act for organizing the
militia," approved Nov. 22, 1864, is
hereby so amended as to read as fol-
lows:
The Commander-in-Chief is here-
by authorized and directed to divide
the State into three military dis-
tricts, and may organize in each of
said districts one regiment of volun-
teer infantry, consisting of ten
companies, to consist of fifty-one of
them and non-commissioned, drilled
and disciplined under such
regulations as he may prescribe.
The said three regiments shall
constitute one brigade. And the Com-
mander-in-Chief is also authorized
to organize a volunteer section of
light artillery in each of said dis-
tricts and under such rules and reg-
ulations as he may prescribe.

Sec. 2. Each member of the or-
ganized militia shall receive two
dollars for each day's actual drill,
not to exceed five days in any one
year, under the order of the Com-
mander-in-Chief, or at any drill es-
tablished by law, or at any drill es-
tablished by the Treasurer of the State,
under proper vouchers, under such
regulations as shall be prescribed
by the Commander-in-Chief. And
the Quartermaster General is here-
by authorized to furnish to the com-
mander of each regiment necessary
fire and straw, at an expense of the
State not exceeding fifty dollars, for
the use of such regiment at regim-
ental drills.

Sec. 3. All officers, non-commis-
sioned officers, musicians and privates,
now in the militia service in
this State, shall remain through the
proper officers to the Quartermaster
General of the State, in good con-
dition, the property in their possession,
or which may have been properly
charged to them, belonging to the
State, at such time and place as he
may direct; and upon the return of
the property aforesaid in good con-
dition, such officers (except thank-
ing brigadier general), non-commis-
sioned officers, musicians and privates
are hereby honorably discharged
from the active militia service of
the State.

Sec. 4. All acts and parts of acts
inconsistent with this act, are here-
by repealed.
Sec. 5. This act shall take effect
from its passage.
Approved Nov. 21, 1867.

An act to amend section one of "An
act for organizing the militia" ap-
proved Nov. 21, 1864.
It is hereby enacted, &c.
Sec. 1. Section one of an act for
organizing the militia, approved
Nov. 22, 1864, is hereby amended so
as to read as follows:
Every male white-headed male
citizen of this State, between the
ages of eighteen and forty-five, ex-
cept as hereinafter provided, shall
be liable to perform military duty,
and shall be enrolled in the militia
of this State. It shall be the duty
of the listers or assessors of each
town and city within the State, to
make such enrollment at such time
and times, and in such manner, and
in accordance with such rules and
regulations as the Commander-in-
Chief may prescribe. And if such
listers or assessors shall neglect or
refuse to perform the duties re-
quired of them by this section, the Com-
mander-in-Chief shall forthwith
cause the same to be performed by
such persons as he shall appoint, at
the expense of such town or city,
and such listers or assessors, for
such refusal or neglect shall forfeit
and pay the sum of one hundred dol-
lars, to be recovered by action of
debt in the name of the Adjutant
and Inspector General, which action
it is made his duty to institute.

Sec. 2. This act shall take effect
from its passage.
Approved Nov. 21, 1867.

An act in relation to suits and pro-
ceedings in which a railroad cor-
poration is, or may be, a party
or interested.
It is hereby enacted, &c.
Sec. 1. No judge of the supreme
court, and no justice of the
peace, shall be disqualified from
hearing and determining any action,
suit or proceeding, or from making
any order, direction, decree, or ap-
pointment in any matter, or proceed-
ing, or in reference to any subject
in which a railroad corporation shall,
or may be, a party or interested;
and no person shall be disqualified
from acting as commissioner for de-
termining the amount of damages
sustained, or likely to be sustained,
by the owner of any land or prop-
erty, which has been or shall be taken
or required for the construction and
maintenance of the railroad or any
railroad corporation, and the con-
current accommodation of the same,
by reason, solely, of such judge, or
justice of the peace, or other person,
being an inhabitant of, or liable to

Sec. 1. Section eleven of chapter
one hundred and thirteen of the

(Continued on fourth page)