

or Drag nets or in any other way obstruct the passage of the said fish to or from the said ponds, or either of them, or shall Obstruct the said Committee or either of them in the Execution of their duty, in all and every of these Cases, the offender shall for each offence forfeit and pay a sum not exceeding thirteen dollars nor less than ten dollars and in case the offence be committed in the night a sum not exceeding thirty dollars nor less than twenty dollars.

Town Treasurer to prosecute for breaches of this act.

SECT. 4. *Be it further enacted*, That it shall be the duty of the said Committee to give notice to the Treasurer of the said Town of Weymouth of all offences committed against this Act that shall come to their knowledge, and the Treasurer thereof is hereby vested with full power and Authority to sue for & recover, from time to time, all fines and forfeitures incurred by any breach of this Act, in any Court proper to try the same, and such fines & forfeitures shall be to the use of the said Town, saving where any person shall give information of any breach of this Act, the informer upon conviction of the offender shall be intitled to one third part of the forfeiture. — And no person shall be considered as disqualified from being an evidence on any trial that may be had pursuant to this Act, on account of his being an Inhabitant of the said town of Weymouth, or of his being one of the Committee aforesaid.

Former law repealed.

SECT. 5. *And be it further enacted*, that an Act passed in the year of Our Lord one thousand seven hundred & eighty eight entitled “An Act empowering the Town of Weymouth to regulate & order the taking & disposing of the fish called Shad & Alewives within the limits of that Town” be and the same is hereby repealed; except for the purpose of recovering any fines or forfeitures that may have been incurred under the said Act.

Approved March 7, 1801.

1800. — Chapter 74.

[January Session, ch. 38.]

AN ACT IN ADDITION TO THE SEVERAL ACTS FOR REGULATING ELECTIONS.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the*

authority of the same, That it shall be the duty of the Assessors of each Town and District within this Commonwealth, on or before the first day of March annually, to make out and deliver to the Selectmen thereof, a correct and alphabetical list of all such inhabitants of their respective Towns or Districts, as shall appear to them qualified by the Constitution of this Commonwealth, or of the United States respectively, to vote for Governor, Lieutenant Governor, Senators, Representatives in the General Court, or Representatives in Congress; which list it shall be the duty of such Town or District at any time within ten days then next following, to revise and correct, as to them shall appear necessary, so that the same shall, in their opinion, be a complete list of such of the inhabitants within their respective Towns or Districts, as shall be constitutionally qualified to vote in the elections aforesaid. And the Assessors of every plantation, are alike required to furnish themselves with like lists, on or before the tenth day of March annually; and it shall be the duty of the Selectmen of the several Towns and Districts, & the Assessors of Plantations aforesaid, respectively to publish the said list within their respective Towns, Districts or plantations, by causing true copies thereof to be posted up at two or more public places in such Towns, Districts or Plantations fourteen days at least before the first Monday in April annually; and it shall also be the duty of the Selectmen of such Towns or Districts, and the Assessors of such Plantations, to be provided with, and have a complete list as aforesaid, at every meeting for the choice of Governor, Lieutena[n]t Governor, Senators, Representatives of the General Court, or Representatives of Congress, which lists shall at all times be so corrected, previous to the opening any such meeting, as to represent the qualified voters for the particular election then to be made; and no such meeting shall be opened at an earlier hour than eleven of the Clock in the forenoon of the day of election; & it shall be the duty of such Selectmen or Assessors to be in session at some convenient place, immediately preceeding such meeting, for so long time as they shall judge necessary to receive evidence of the qualifications of persons whose names have not been entered on the list published as aforesaid; and of the time and place of such

Assessors to make out an annual list of qualified voters.

Lists to be published.

Selectmen to sit to receive evidence of qualification.

meeting, public notice shall be given at the time the lists are published, as aforesaid.

Senators to be voted for on one list.

SEC. 2. *Be it further enacted*, That whenever a meeting is holden in any town or place, for the purpose of choosing persons for Counsellors and Senators, the Selectmen or Assessors, presiding at such meeting, be, & hereby are directed to call on the voters in such meeting, qualified for choosing such Officers, requiring each of them to give in their votes on one list for as many different persons as are then to be chosen to the same Office.

Penalty for giving more than one vote.

SEC. 3. *Be it further enacted*, That if any person at any meeting for an election for any of the Officers aforesaid, shall knowingly & designedly give in more than one vote or list, at any one time of balloting at any such election, he shall, in addition to the fine already provided by Law against any Elector giving more than one vote in any election, forfeit and pay a fine, not exceeding Thirty Dollars.

No person to vote till permitted by the Selectmen.

SEC. 4. *Be it further enacted*, That no person shall be permitted to give in his vote at any meeting of a Town, District or Plantation, holden for an election to any of the Offices aforesaid, untill the Selectmen of such Town or District, or the Assessors of such Plantation, presiding at such election, shall have had opportunity to enquire his name, and found the same in the list aforesaid; and any person wilfully voting, contrary to the provision of this Act, or who shall give any false answer to such Selectmen or Assessors, being duly thereof convicted, shall forfeit and pay a fine not exceeding Twenty Dollars for each & every offence, according to the nature & aggravation thereof.

Penalty for negligence of Selectmen.

SEC. 5. *Be it further enacted*, That if any Selectman or Assessor of any Town or District, or the Assessors of any Plantation, shall knowingly & corruptly neglect, or refuse to comply with, or to perform the several duties respectively required of him or them, as pointed out, in and by this Act, he shall, for each and every such offence, forfeit & pay a fine not exceeding Fifty Dollars, according to the nature & aggravation thereof.

Recovery of fines.

SEC. 6. *Be it further enacted*, That all fines and forfeitures for any breach of this Act, may be recovered by indictment, before the Supreme Judicial Court, or by action of debt before any Court proper to hear & determine the same; one half to the use of this Commonwealth,

and the other half to the use of any person who shall prosecute or sue for the same.

SEC. 7. *And be it further enacted* that this Act shall be in force from and after the first day of July next.

Approved March 7, 1801.

1800. — Chapter 75.

[January Session, ch. 39.]

AN ACT RESPECTING BOATS & LIGHTERS EMPLOYED IN TRANSPORTING STONES, GRAVEL OR SAND, WITHIN THIS COMMONWEALTH.

SECT. 1. *Be it Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same,* That every boat or lighter, employed in transporting stones, gravel or sand, within this Commonwealth, shall be marked at light water mark, and at least at five other places, with the figures four, twelve, sixteen, twenty four and thirty, legibly made, on the Stem and Stern post thereof; which figures shall express, the weight, such boat or lighter is capable of carrying, when the lower part of the respective numbers shall touch the Water, in which the said Boat or Lighter shall float. And every person who shall use or employ any Boat or Lighter, for the purpose of transporting Stones, gravel or Sand, as aforesaid, which shall not be marked as in this Act is provided, shall forfeit & pay the sum of fifty Dollars, to be recovered by an Action of the Case in any Court proper to try the same, by any Person who will sue therefor. And any Person who shall put, or Cause to be put, on any Boat or lighter as aforesaid, any false marks as aforesaid, shall be subject to the like penalty to be recovered in like manner.

Lighters to be marked.

Penalty for falsely marking.

SECT. 2. *And be it further enacted,* That it shall be the duty of the Selectmen, in any Town where Boats & lighters are owned, which may be employed in transporting Stones, gravel or sand, as contemplated in this Act, to appoint, annually, in the months of April or May, some suitable Person, to ascertain the Capacities of all such Boats & Lighters, and mark the same, as is prescribed in this Act; who shall be under Oath, faithfully to perform the duty as herein prescribed.

Selectmen directed to appoint persons to mark boats etc.

Approved March 7, 1801.