

An ACT to prevent the burning of Woodlands in certain towns therein named.

*Chap 148.*

*BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

SECT. 1. If any person shall set fire to any coal-pit, or to any pile of wood, for the purpose of charring the same, on any woodland in the towns of New Bedford, Dartmouth, Fall River, Freetown, and Fairhaven, in the county of Bristol, and Middleborough and Rochester, in the county of Plymouth, between the first day of April and the first day of October annually, he shall forfeit and pay the sum of one hundred dollars for every such offence.

Penalty for setting fire to coal-pits, on woodland, between March and October.

SECT. 2. If any person shall, between the times aforesaid, set fire to any brushwood or bushes on any part of the aforesaid woodland, or on any land adjoining thereto, so as to cause the burning thereof, he shall forfeit and pay the sum of fifty dollars, for every such offence.

Penalty for burning brushwood, &c.

SECT. 3. All forfeitures under this act may be recovered in any court of competent jurisdiction, one half thereof to the use of the town, in which the offence is committed, and the other half to the use of him who shall sue therefor. [*April 10, 1839.*]

How penalties recovered, and to whose use.

An ACT in addition to an Act concerning Lunatics.

*Chap 149.*

*BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

SECT. 1. Either of the justices of the supreme judicial court, or of the court of common pleas, at any term held within and for the county of Worcester, or the judge of probate of said county, may, on application in writing for the discharge from said hospital of any lunatic who shall have remained there a sufficient time to make it appear that he is incurable, cause such lunatic to be delivered to the agents of any town in which he may have his legal settlement, or to the friends of such lunatic, when, in the opinion of either of said justices, or of said judge of probate, it would not be to the injury of the person so confined, and when it shall be made to appear that such person would be comfortably and safely provided for, by any parent, kindred, friend, master, or guardian, or by any town or city in which he may have a legal settlement. And whenever request for that purpose shall be made in writing, by any person interested in such discharge, to the judge before whom the trial is to be held, he shall issue a warrant to the sheriff, or any deputy sheriff in the county of Worcester, directing such sheriff or deputy to summon a jury of six lawful men to hear and determine the question whether such lunatic is incurable, and may be comfortably and safely provided for, according to the terms of this act. And the proceedings shall be the same in selecting the jurors, conducting the trial, and allowing the costs, as are provided in the two hundred and twenty-eighth chapter of the laws of the year one thousand eight hundred and thirty-seven.

Provision for removing incurable lunatics from the hospital: terms and mode of removal.