

four cents a Mile for all necessary travel in performing the same, & one dollar & fifty cents a day for each day he shall attend them; and each Juror to one dollar for each day's attendance, and four cents a Mile for travel each way. And said Officer shall make a return of his own travel & attendance, and that of each Juror.

Juror's pay.

SEC. 6TH. *And be it further enacted*, that if any town, or other Corporation, shall find themselves aggrieved by the doings of a Committee of the Court of Sessions in any County, in locating a Way, or in estimating damages, by Virtue of the Act, to which this is an addition, such Town or Corporation, may apply to said Court, and be allowed a Jury or Committee to hear, and finally determine their complaint, in the same manner, and under the same limitations and conditions, as are provided in this Act and that to which it is in addition, in the case of an individual Person.

In case of a town or corporation considering itself aggrieved.

Approved March 8, 1803.

1802. — Chapter 136.

[January Session, ch. 98.]

AN ACT TO PREVENT THE WILFUL DESTRUCTION AND CASTING AWAY OF SHIPS AND CARGOES.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, that if any Owner of, Captain, Master, Officer or other Mariner, belonging to any Ship or Vessel, shall, within the body of any County of this Commonwealth, wilfully cast away, burn, sink or otherwise destroy, the Ship or Vessel of which he is owner, or to which he belongeth, or in any wise direct or procure the same to be done, with intent or design to prejudice any person or persons that hath or shall underwrite any policy or policies of insurance thereon, or of any Merchant or Merchants that shall load goods thereon, or of any Owner or Owners of such Ship or Vessel, every person, so Offending, being thereof lawfully convicted before the Supreme Judicial Court of this Commonwealth, shall be deemed and adjudged a Felon, and shall be sentenced to imprisonment for life or for a term not less than Five years at the discretion of the Court:— *Provided nevertheless*, that nothing herein contained shall be construed to bar or prevent the party injured from having and maintaining his Action for the damages sustained thereby.

Penalty for wilfully destroying a vessel, or causing it to be done.

An action for damages allowed.

Penalty for fitting out a vessel with intent to destroy her.

SEC. 2. *And be it further enacted*, that if any owner of any Ship or Vessel shall equip or fit out such Ship or Vessel within this Commonwealth, with intent that the same should be wilfully cast away, burnt or otherwise destroyed, to the prejudice of any Owner of any goods laden on board said Ship or Vessel, or of any underwriter upon any policy or policies of Insurance upon such Ship or Vessel, or upon any Goods laden thereon; and shall be thereof convicted before the Supreme Judicial Court of this Commonwealth, such offenders shall be sentenced to pay a fine not exceeding five Thousand dollars, to be set in the pillory one hour, and be imprisoned for a term not less than two years nor more than ten years, at the discretion of said Court.

Penalty for making out false invoices, to defraud underwriters.

SEC. 3. *And be it further enacted*, that if any owner of any Ship or Vessel, or of any goods laden on board such Ship or vessel, shall make out and exhibit, or cause to be made and exhibited, any false or fraudulent, bills of parcels, invoices, or estimates of any such goods laden or pretended to be laden on board such Ship or Vessel, with intent to defraud any underwriter upon any policy or policies of Insurance upon such Ship or Vessel, or upon any goods laden thereon, every person so offending and being thereof lawfully convicted, shall be sentenced to pay a fine not exceeding five thousand dollars, to be set in the pillory one hour, and to be imprisoned for a term not exceeding ten Years, at the discretion of the Court.

Penalty for making false affidavit or protest.

SEC. 4. *And be it further enacted*, that if any Captain, Mate or Mariner, of any Ship or Vessel, shall make out and swear to any false affidavit or protest, or if any owner of any such Ship or Vessel, or of any goods laden thereon, shall procure such false affidavit or protest, or knowing the same to be false, shall exhibit the same with intent to deceive and defraud any underwriter upon any policy of insurance upon any such Ship or Vessel, or any goods laden thereon, every person convicted thereof before the Supreme Judicial Court aforesaid, shall be sentenced to pay a fine not exceeding five thousand dollars, to be set in the pillory for one hour, and to be imprisoned for a term not exceeding ten years, at the discretion of the Court before which the Conviction may be.

Approved March 8, 1803.