

1803. — Chapter 120.

[January Session, ch. 54.]

AN ACT IN ADDITION TO THE SEVERAL ACTS NOW IN FORCE, WHICH RESPECT THE TRANSPORTING, STORING AND SAFE KEEPING OF GUNPOWDER IN THE TOWN OF BOSTON.

Recovery of
of fines.

SECT. 1. *Be it enacted, by the Senate and House of Representatives, in General Court Assembled, and by the authority of the same,* that all the pecuniary penalties and forfeitures mentioned in An Act, entitled, “an act in addition to the several acts, now in force, which respect the carting and transporting Gunpowder through the Streets of the Town of Boston, and the Storage thereof in the same town,” and also all the penalties and forfeitures, mentioned in an act, entitled, “an act to provide for the Storing and safe keeping of Gunpowder in the Town of Boston, and to prevent damage from the same,” may be recovered by information or indictment before the Supreme Judicial Court or the Municipal Court for the Town of Boston any law to the Contrary notwithstanding.

Judge of the
Municipal Court
empowered.

SECT. 2. *And be it further enacted,* that when any Gunpowder shall be seized by any one or more of the Firewards of said Town of Boston, for a breach of the provisions mentioned in either of the acts aforesaid, it shall be the duty of such Fireward or Firewards within twenty days after the seizure, to file a libel in the Clerk’s Office of the Municipal Court for the Town of Boston, stating the cause of seizure, and praying for a decree of forfeiture, and the Judge of said Court shall have power to hear and determine the cause, by a Jury where there is a claimant, but without one, if upon proclamation made, no claimant appears, and to decree the forfeiture and disposition of such property according to law, and may decree a sale and distribution of the proceeds, deducting charges; and if such libel be not supported, restitution of the property shall be decreed to the claimants without costs.

Approved March 7, 1804.

1803. — Chapter 121.

[January Session, ch. 55.]

AN ACT MAKING FURTHER PROVISION FOR THE PROPRIETORS OF THE ISLAND OF NANTUCKET.

Preamble.

Whereas an Act entitled, “An Act for the better managing Lands, Wharves, and other real estate lying in