

discretion of the court, not exceeding five pounds for each passenger exceeding the number by this act allowed to be imported as aforesaid.

And to the end this act and the provisions herein made may be more particularly observed,—

*Be it further enacted,*

[SECT. 3.] That the commissioner of impost for the time being, or his lawful deputies, in going on board any ship or other vessel importing passengers, either by his or their view, or otherwise, shall, and is hereby required to, inform himself of the condition and circumstances of the passengers on board, and whether they have been provided for, and accommodated with the provisions, room and other necessaries herein directed; and where at any time a deficiency shall appear to him or any of them, he or they shall forthwith give notice of the same to some one or more of the justices of the peace for the county where the offence is committed, to the end the person or persons delinquent may be sent for, or bound over, to the next court of general sessions of the peace, then and there to answer for such offence.

The impost-officer and his deputies empowered to make inquiry referring to the observation of this act.

*And be it further enacted,*

[SECT. 4.] That every master or commander of any ship or other vessel importing any passenger or passengers to be landed within this province, who, in their passage hither, or soon after their arrival, may happen to die, leaving goods, chattles, money or other effects on board such ship or other vessel, or in the hands or custody of any such master or commander, every such master or commander, within the space of twenty days next after his arrival, or after the decease of every such passenger, shall exhibit to the register of the judge of probate of wills and granting administration, for the county where such goods and effects shall be, a true and perfect inventory, upon oath, of all such goods, chattles, money or other effects, to the end that after payment of all just demands which shall be due to the said master or commander, or to his or their owner or owners, the remainder of such goods and effects may be committed to the custody of some proper person or persons for the benefit of the wife and children, or other kindred, or creditors of the deceased, as the case may require, and the law in such case shall direct.

Provision for saving the money, goods, &c., of any passengers that may die on the passage.

*And be it further enacted,*

[SECT. 5.] That if any such master or commander of any such ship or other vessel shall neglect or refuse to exhibit such an inventory of the goods and effects of any such passenger or passengers so dying as aforesaid, every such master or commander shall forfeit and pay the sum of two hundred pounds, to be recovered and applied as aforesaid.

Penalty for any master's neglect of exhibiting an inventory of such goods, &c.

[*Passed February 6, 1750-51.*]

## CHAPTER 13.

AN ACT FOR HOLDING A SUPERIOUR COURT OF JUDICATURE, COURT OF ASSIZE AND GENERAL GOAL DELIVERY AT OTHER TIMES THAN THOSE ALREADY APPOINTED BY LAW.

WHEREAS the time by law appointed for holding the superiour court of judicature, court of assize and general goal delivery is but once in six months in any county, and but once a year in many counties, by reason whereof felons, by making their escape, or by the death of witnesses, may avoid justice, or great charges may arise by keeping such offenders in goal, as well as damages accrue to witnesses by being detained until[1] the time by law appointed for holding the court where

Preamble.  
1747-48, chap. 15.

such offenders are triable; and as there is not by the laws of this province, sufficient provision made for remedying the inconvenienc[*i*]es aforesaid,—

*Be it enacted by the Lieutenant-Governour, Council and House of Representatives,*

Governor and council empowered to call a special court of assize, &c.

[SECT. 1.] That the governour or commander-in-chief, for the time being, by and with the advice and consent of the council, may, upon such occasions, by precept, directed to the justices of the superiour court of judicature, court of assize and general goal delivery, order and appoint them to hold a superiour court of judicature, court of assize and general goal delivery for inquiring of, hearing and determining all such felonies, on certain days and places by them to be appointed in the county where such offence by law is triable; and that the justices aforesaid, upon the receipt of such precept, shall cause process to issue for summoning grand jurors and petit jurors out of the several towns,—as is usual for the stated courts,—to attend such special court at the time and place appointed by the justices thereof for holding the same, and make out all other necessary process; and do whatever else is or may be requisite to be done for the holding such court, inquiring of such felonies, hearing and determining the same, giving judgment and awarding execution thereon, as fully as the superiour court of judicature, court of assize and general goal delivery might or could do at a time by law appointed for holding such court.

*And be it further enacted,*

How the court may be adjourned.

[SECT. 2.] That if any such special court can't be held on the day appointed therefor, any one of the justices thereof may adjourn the same from time to time until[1] such court can be held. [*Passed February 11\**; *published February 16, 1750-51.*]

## CHAPTER 14.

AN ACT FOR RAISING THE SUM OF TWELVE HUNDRED POUNDS BY LOTTERY, FOR BUILDING AND MAINTAINING A BRIDGE OVER THE RIVER PARKER, IN THE TOWN OF NEWBURY, AT THE PLACE CALLED OLDTOWN FERRY.

Preamble.

WHEREAS the building a bridge over the river Parker, in the town of Newbury, in the county of Essex, at the place called Oldtown Ferry, will be of publick service; and *whereas* the town of Newbury have, by Mr. Daniel Farn[a][u]m, their agent, applied to this court for liberty to raise the sum of twelve hundred pounds, by lottery, for building and maintaining a bridge over the said river, at the ferry-place aforesaid, under the direction of persons to be appointed by this government,—

*Be it therefore enacted by the Lieutenant-Governour, Council and House of Representatives,*

A lottery to be set up in Newbury for building a bridge over the river Parker.

That Thomas Berry, John Greenleaf, Joseph Gerrish and Joseph Atkins, Esquires, and the said Daniel Farn[a][u]m, or any three of them, be and hereby are allowed and impow[*e*]red to set up and carry on a lottery, within the said town of Newbury, amounting to such a sum as, by drawing ten per cent out of each prize, they may thereby raise the sum of twelve hundred pounds; to be applied, by them or any three of them, towards building and maintaining a good and sufficient bridge at the place aforesaid, and for defraying the necessary charges of the lottery aforesaid; and that the said Thomas Berry, John Green-

\* According to the memorandum on the engrossment, the bill was signed February 9; but the record has been followed above.