

commodities that have not been duly assayed and approved as aforesaid, such cooper or other person offending therein, shall forfeit and pay the sum of ten pounds, to be recovered and applied in manner as aforesaid.

*And be it further enacted,*

Assay-master's  
fee, &c.

[SECT. 5.] That the respective assay-masters shall be paid for every cask, or other vessel, of either of the commodities aforesaid that he shall assay, the sum of two shillings, to be paid by the owner; and if he refuse to satisfy the officer for his fees afore mentioned, it shall be lawful for him to detain so much of the said commodities as will make him satisfaction for his service; and if the owner do not redeem the same within twenty-four hours, he may then expose it to sale, and out of the proceeds may satisfy himself his fees and charges, returning the overplus, if any be, to the owner.

How to be paid.

Limitation.

[SECT. 6.] This act to continue and be in force from the first of July next, until[1] the first day of July, one thousand seven hund[re]d and sixty, and no longer. [*Passed February 21; published February 22, 1755.*]

## CHAPTER 27.

AN ACT FOR THE MORE EFFECTUAL CARRYING INTO EXECUTION SUCH ORDERS AS SHALL, AT ANY TIME, BE GIVEN BY HIS MAJESTY'S GOVERNOUR OR COMMANDER-IN-CHIEF, AT THE DESIRE OF THE TWO HOUSES OF ASSEMBLY (OR OF THE COUNCIL, THE GENERAL COURT NOT SITTING), FOR RESTRAINING VESSELS FROM SAILING OUT OF ANY PORTS WITHIN THIS PROVINCE.

Preamble.

WHEREAS it is sometimes necessary, for his majesty's service, that an embargo[e] should be laid upon ships and other vessels within the province,—

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

Penalty for any  
vessels sailing,  
in case of an  
embargo, with-  
out license.

[SECT. 1.] That when and so often as his majesty's governour or commander-in-chief shall be desired by the council and house of representatives (or by the council only, the general court not sitting), to issue a proclamation or order prohibiting vessels to sail or depart from the several ports, harbours, and other parts of the province, and a proclamation or order shall accordingly be issued by the governo[u]r or commander-in-chief, with the advice of the council, if any vessel, in contempt of such proclamation or order, shall sail or depart to any port or place, the special leave of the governour or commander-in-chief not being first had and obtained, the master of every vessel so departing shall forfeit and pay the sum of one hundred pounds; and the owner or owners of every such vessel shall likewise forfeit and pay the sum of one hundred pounds; and the said last-mentioned forfeiture shall and may be recovered from any or either of the owners of such vessel, where more than one person shall be interested. And the aforesaid penalties may be sued for and recovered by bill, plaint, or information in any of his majesty's courts of record within this province, one half thereof to his majesty, to be paid into the publick treasury for the use of the province, the other half to him or them that shall inform and sue for the same.

Any one owner  
may be sued.

Limitation.

[SECT. 2.] This act to continue and be in force for the space of one year from the publication thereof, and no longer. [*Passed February 21; published February 22, 1755.*]