Mr. Denny moves to substitute the following for the bill relating to alien passengers:—

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Forty-Eight.

AN ACT

Concerning Alien Passengers and Paupers.

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

1 Sect. 1. The governor, with the advice and consent of the council, shall appoint and commission some suitable person to be superintendent of alien passengers in each city and town of the Commonwealth, where it may be necessary for the execution of the provisions herein contained, who, before enter
ing upon the duties of his office, shall be duly sworn, and give bonds to the state treasurer, with sufficient sureties for the performance thereof, in such sum as shall be specified by the governor in his commission, and who shall hold said office until another shall be appointed, commissioned and qualified in his stead.

Sect. 2. The governor, with the advice and consent of the council, shall determine the salary of each superintendent of alien passengers by him appointed, and shall specify the same in his commission: provided, however, that such salary shall never exceed the net amount of alien-passenger money received by such superintendent, according to the provisions of this act.

Sect. 3. The superintendents of alien passengers shall have a care and oversight of all causes and matters arising under this act, in the city or town for which they are appointed, and whenever a breach of any of its provisions shall come to their knowledge, they shall, with the advice of the district attorney for their district, institute prosecutions, by indictment or otherwise, for the forfeitures incurred.

Sect. 4. When any vessel shall arrive at any port or harbor within this state with alien passengers on board, who have never before been within the state, the superintendent of the city or town where it is intended to land such passengers, shall go on board such vessel, and examine into the condition of said passengers; and the master or commanding officer of such vessel shall, within twenty-four hours after such arrival, make a report in writing, under oath, to said
Sect. 5. If, on examination, there shall be found, among said passengers, any lunatic, idiot, maimed, aged, or infirm person or persons, incompetent, in the opinion of the superintendent so examining, to maintain themselves, or who have been paupers in any other country, no such alien passengers shall be permitted to land until the master, owner, consignee, or agent of such vessel, shall make and deliver, to said superintendent, a bond to the Commonwealth, with such sureties as are undoubted and satisfactory, in the sum of one thousand dollars, that no such lunatic or indigent passenger shall become a city, town or state charge, within ten years from the date of said bond: provided, however, if it shall be made to appear to said superintendent, by undoubted evidence, that any of such passengers are in such condition as to health, property, capacity and character, that they are not likely to become chargeable to any city or town, he may permit them to be landed, on payment to him, by said master, consignee, or agent, of the sum of two dollars for each passenger so landed; and the names of all such passengers shall be certified by said superintendent on the back of the report; and such passengers shall not be considered in estimating the penal sum of the bond, or in the construction of the condition thereof: and provided further, that if any such passengers are so sick or desti-
Every superintendent of alien passengers shall, on the third Wednesdays of January, April, July and October of each year, render an account, to the treasurer of the Commonwealth, of all the money received by him and his assistants, under the provisions of this act, up to the first days of said months of January, April, July and October; and after deducting therefrom the amount of salary due him up to the time to which said quarterly accounts shall severally extend, shall pay the balance into the state treasury, and the treasurer shall, as soon as may be after the third Wednesday of January of each year, lay said accounts before the legislature.

The treasurer of the Commonwealth shall, during the months of January, May and September, of each year, cause to be published, in some convenient form for reference, an abstract of the reports and bonds deposited with him by superintend-
6 ents, as provided in the seventh section, which ab-
7 stract shall contain an alphabetical list of all the
8 names of alien passengers that shall have been re-
9 ported up to the time of publishing said abstract,
10 and not previously published, with the reported age,
11 sex, occupation, place of birth, and last place of resi-
12 dence, of each of said aliens; also the time and place
13 of their landing, the name of the vessel from which
14 they were landed, and, if bonds of indemnity shall
15 have been given as provided in the fifth section, the
16 names of the obligors in said bonds, and their resi-
17 dences, and also the names of such alien passengers
18 as shall have been permitted to land by any super-
19 intendent under the second proviso contained in said
20 fifth section; together with the name of the vessel
21 from which they were landed, the time when landed,
22 with the names respectively of the master, command-
23 ing officer, owner, consignee or agent of such ves-
24 sel; and the treasurer shall forward a copy of said
25 abstract, when so published, to the clerks of the sev-
26 eral towns and cities in the Commonwealth.

1 Sect. 8. The overseers of the poor, in any town
2 where there may be no superintendent of alien pas-
3 sengers, or where such superintendent shall be una-
4 ble to perform his duties by reason of absence or ill
5 health, shall perform the duties and exercise the au-
6 thority herein conferred on such superintendents,
7 and shall in like manner render their accounts to the
8 state treasurer, and pay over the money so received,
9 deducting therefrom a reasonable compensation for
10 their services.
1 Sect. 9. If any master, or commanding officer of
2 any vessel, shall land any such alien passengers at
3 any place within this state other than those to which
4 such vessel is destined, with intent to avoid the re-
5 quirements of this act, such master or commanding
6 officer shall forfeit the sum of one hundred dollars
7 for every such passenger so landed.

1 Sect. 10. If any master or commanding officer
2 of any vessel shall land, or permit to be landed, in
3 this state, any alien passengers as aforesaid, without
4 complying with the provisions of this act, said mas-
5 ter or commanding officer, and the owner or con-
6 signee thereof, shall severally forfeit the sum of five
7 hundred dollars for every such alien passenger so
8 landed: provided always, that the provisions in this
9 act shall not extend to seamen sent from foreign
10 places by consuls or vice consuls of the United
11 States, or to vessels coming on shore in distress, or
12 to any alien passenger taken from any wreck, where
13 life is in danger.

1 Sect. 11. The two hundred and thirty-eighth
2 chapter of the statutes of the year eighteen hundred
3 and thirty-seven, also the ninety-sixth chapter of the
4 statutes of the year eighteen hundred and forty,
5 also the twenty-sixth chapter of the statutes of the
6 year eighteen hundred and forty-five, are hereby re-
7 pealed: provided, that nothing herein contained shall
8 release any city or town from paying into the treasury
9 any amount of money which shall have accrued to the
10 state.

1 Sect. 12. This act shall take effect on and after
2 its passage.