

1841 Feb. 1841. GUNPOWDER

HOUSE.....No. 38.

[Reported by the Committee on the Judiciary.]

Commonwealth of Massachusetts.

In the year One Thousand Eight Hundred and Forty-one.

AN ACT

In addition to "An Act further regulating the Storage, Safe Keeping, and Transportation of Gunpowder in the city of Boston."

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

1 SEC. 1. Whenever any quantity less than ten quar-
2 ter casks of gunpowder shall be seized and taken into
3 custody by any one or more of the engineers of the
4 Fire Department of the city of Boston, a libel or com-
5 plaint may be filed in the clerk's office of the Police
6 Court of said city of Boston, and the said Police Court
7 of said city shall have jurisdiction thereof; and the like

8 proceedings thereon, (excepting a trial by jury,) shall
 9 be had in said court, as are provided for by the fifth
 10 section of the act passed on the twenty-fifth day of
 11 March, in the year one thousand eight hundred and
 12 thirty-three, to which this is in addition, in the like
 13 cases of seizures and proceedings before the Muni-
 14 pal Court; *saving always*, to any party aggrieved by
 15 any final judgment of said Police Court, the right of
 16 appeal and trial by jury in said Municipal Court.

1 SEC. 2. All fines, penalties and forfeitures, imposed
 2 by the act to which this is in addition, and by an act
 3 in further addition thereto, passed on the twenty-
 4 eighth day of March, in the year one thousand eight
 5 hundred and thirty-seven, may be sued for and recov-
 6 ered by the chief engineer, or any one or more of the
 7 engineers of the Fire Department of the said city of
 8 Boston, or by any person thereto authorized by a vote
 9 of the Board of Engineers of the said Fire Depart-
 10 ment.