

whipped, not exceeding twenty stripes, or be imprisoned not exceeding ninety days, and to find sureties for his good behaviour for the term of one year.

And be it enacted by the authority aforesaid, That when any trespasses shall be committed on any buildings or inclosures belonging to any county, town or parish, the county, town and parish Treasurer, for the time being, shall be, and hereby are severally authorized to sue for the damage done to the public buildings or enclosures of their county, town or parish, respectively; and where any public buildings are owned partly by the town and partly by the county, in that case, the county or town Treasurer, whoever may first institute an action, may prosecute for damages thus sustained.

Trespasses committed on any public buildings, damages how recovered.

Provided nevertheless, That nothing in this act shall prohibit any surveyor of highways moving any incumbrances in any public way, nor be construed to prevent any prosecution for theft, where a theft is committed.

Proviso.

November 23, 1785.

1785. — Chapter 29.

[October Session, ch. 11.]

AN ACT FOR REPEALING CERTAIN PARTS OF AN ACT, ENTITLED, *Chap. 29*
 “AN ACT FOR REGULATING PILOTAGE IN SEVERAL PORTS IN THIS COMMONWEALTH,” AND FOR OTHERWISE REGULATING THE PILOTAGE OF THE PORT OF *NEWBURYPORT*.

Whereas the provisions made for regulating the pilotage for the port of Newburyport, have been found insufficient to answer the purposes intended:

Preamble.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That so much of an act passed the eleventh day of *July*, one thousand seven hundred and eighty-three, entitled, “An act for regulating pilotage in several ports in this Commonwealth,” as relates to the appointing and regulating of pilots and pilot boats for the port of *Newburyport*, be, and it is hereby repealed.

Part of a former act repealed.

Be it further enacted by the authority aforesaid, That from and after the first day of *January*, one thousand seven hundred and eighty-six, no person shall undertake to pilot any vessel into or out of the river *Merrimack*, drawing nine feet of water, or more, (coasters and fishing vessels excepted) without having first obtained a commission or branch, as is herein after provided.

No person shall pilot any vessel, without having a commission or branch.

Governor and Council to commission a suitable person.

Be it further enacted, That whenever any person shall obtain from the Marine Society of *Newburyport*, a certificate signed by their clerk, that in their opinion, or in the opinion of the major part of the members of said Marine Society, he is capable and suitable to undertake the business of pilotage into and out of the river *Merrimack*, the Governor, with advice of Council, be, and he is hereby empowered to grant to such person a commission or branch for him to exercise said business as aforesaid, and the same to demand and recall whenever said Marine Society, or the major part of them, shall certify by their clerk that the said person is rendered incapable or improper to be continued in said business.

Person commissioned, to give bond.

Be it further enacted, by the authority aforesaid, That before any person shall receive such commission or branch, he shall give bond, with sufficient surety, to the Treasurer of this Commonwealth, in the sum of *One hundred pounds*, conditioned that he will give up said commission or branch whenever it shall be demanded as aforesaid.

Persons piloting without being commissioned, not entitled to any fee.

Be it further enacted, That if any person other than one having obtained a commission or branch, as is herein before provided, shall presume to pilot a vessel contrary to the meaning of this act, he shall not be entitled to any fee for the same, and shall further be liable to pay any damages that may accrue in consequence of his undertaking so to pilot such vessel, to be recovered by the owner, assignee or master of said vessel, in an action on the case, to be brought before any Court proper to try the same.

November 23, 1785.

1785. — Chapter 30.

[October Session, ch. 12.]

Chap. 30

Naturalization.

AN ACT FOR NATURALIZING WILLIAM BOND.

Whereas William Bond, late of Devonshire, in Great Britain, goldsmith, now residing at Falmouth, in the county of Cumberland, and Commonwealth of Massachusetts, has petitioned the General Court that he may be naturalized, and be thereby entitled to all the rights, liberties and privileges of a free citizen of this Commonwealth:

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