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PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE FIFTH DAY OF AUGUST, A.D. 1713.

CHAPTER 5.

AN ACT FOR HOLDING SPECIAL COURTS OF ASSIZE, AND GENERAL GOAL DELIVERY.

WHEREAS the time set for holding a superiour court of judicature, court of assize and general goal delivery, in the respective counties, according to the present establishment is but once in six months in and for any county, and in some counties but once in twelve months; by reason of which distance of time persons guilty of murder may avoid justice, either by making their escape, or by the death of the witnesses, or otherwise great charge may arise by long keeping such criminals in prison, and great loss and damage be occasioned to the witnesses being long detained till the coming of the court, especially if they are not inhabitants or are sea-faring men; for prevention of which mischiefs and inconveniencies,—

Be it enacted by His Excellency the Governour, Council and Representatives in General Court assembled, and by the authority of the same,

That it shall be lawful to and for the governour for the time being, by and with the advice and consent of the council, upon any extraordinary occasion and emergency, as aforesaid, by a precept directed to the justices of the court of assize and general goal delivery, to order and appoint them to hold a special court as soon as may be, for the tryal of any such capital offender or offenders; and to cause *venires* to be issued [*forth*] for the summoning of jurors for such court, out of the several towns, as usual for the stated courts; and to make out all other necessary processes, and do what else shall be requisite, according to the powers given them in and by the act for establishing a superiour court of judicature, court of assize and general goal delivery. [*Passed August 8; published August 13.*]

A special court
of assize and
general gaol
delivery.