

respect to sales,
&c., of trust
estates.

estate in all cases when a sale and conveyance of such estate shall have become necessary or expedient, upon the bill or petition of any party interested therein, shall have power to order and decree such sale and conveyance, and the investment, reinvestment, and application of the proceeds thereof, upon such security and in such manner as shall best effect the objects of the trust and be most safe and beneficial for all interested therein. [*Approved by the Governor, April 16, 1846.*]

Chap 243.

An Act to regulate the Pilotage in Nantucket.

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

Governor, &c.,
to appoint three
port wardens
for Nantucket,
&c.

SECTION 1. There shall be appointed by the Governor, with the advice and consent of the Council, three persons, who shall be residents of Nantucket, to be denominated wardens of the port and district of Nantucket, who shall hold their offices during the pleasure of the Governor and Council, and whose duty it shall be to grant commissions or warrants to a suitable number of persons to be pilots for the port of Nantucket.

Who shall
grant and re-
voke warrants,
&c.

and make regu-
lations, &c.

SECTION 2. Said wardens shall make all suitable and necessary regulations for the government of such pilots as they shall commission, and may revoke any such commission when in their judgment it may become necessary.

Pilots to qualify
by making oath
and giving
bonds, and to
deliver their
commissions on
demand, &c.

SECTION 3. Every pilot appointed by said wardens shall, before entering upon his office, be sworn to the faithful discharge of the duties thereof, and shall also give bond to the wardens of said port for the time being, in the sum of one hundred dollars, with condition that he shall faithfully perform the duties of such office, and shall give up his branch or commission when demanded by a vote of the said wardens, and in default of said delivery shall forfeit the sum of fifty dollars for every vessel which he shall attempt to pilot after having notice to give up the same.

Penalty for
acting as a pi-
lot without
commission,
&c.

SECTION 4. If any person not having a branch or warrant as a pilot or deputy for the harbor of Nantucket shall falsely represent himself as a pilot or a deputy for said harbor, and shall undertake to pilot into or out of said harbor any vessel drawing nine feet of water or more, he shall forfeit a sum not exceeding one hundred dollars for each offence, and he shall be further liable to pay all damages that may be sustained by reason of his so undertaking to pilot such vessel: *provided, however,* that if the person so acting as pilot or deputy shall be employed for that purpose by the master or commander of any vessel, knowing that such person was not a legal pilot for said harbor, the person so acting as pilot shall not be liable to pay any forfeiture or damage in case of loss.

Provided, &c.

SECTION 5. The rates of pilotage which each of said pilots may demand, shall be as follows, to wit: For all vessels taken to sea westward, past Gay Head, two dollars per foot, and all vessels taken to sea eastward one dollar and fifty cents per foot from the bar, and ten dollars in addition for each vessel so piloted in and out over the bar not drawing less than nine feet of water; and for piloting a loaded vessel from Edgartown, Holmes' Hole, or Wood's Hole, to the bar off Nantucket the sum of fifteen dollars.

Rates of pilotage.

SECTION 6. The several pilots of the said port of Nantucket and their deputies, shall have all the power and be subject to all the duties and liabilities, mentioned in the provisions of the thirty-second chapter of the Revised Statutes, except those which specially relate to any port or harbor therein mentioned, and except so far as said provisions are modified or controlled by the preceding sections of this act. [Approved by the Governor, April 16, 1846.]

Powers, duties and liabilities of pilots, &c.

An Act concerning Hawkers and Pedlers.

Chap 244.

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

SECTION 1. From and after the first day of July next, every hawker, pedler, or petty chapman, or other person, going from town to town, or from place to place, or from dwelling-house to dwelling-house, in the same town, either on foot, or with one or more horses, or otherwise carrying for sale, or exposing to sale, any goods, wares or merchandise, or taking a residence in any town for that purpose, for a less time than one year, except as provided in the second section, or under a license, granted as hereinafter provided, shall forfeit a sum not exceeding two hundred dollars for every offence; and that nothing contained in this section shall be construed to restrain sales at public auction, according to law.

Hawkers, &c., must have a license after July 1st, 1846, for sale of certain articles,

or be punished by forfeiture, &c.,

but not for sales at auction, &c.

SECTION 2. Any person may go about, as aforesaid, selling and exposing to sale, any fruits and provisions whatever, live animals, brooms, agricultural implements, fuel, newspapers, books, or pamphlets, agricultural products of the United States, the products of his own labor or any labor of his own family; but the sale of jewelry, wines, spirituous liquors, playing cards, indigo, and feathers, as aforesaid, is hereby prohibited: *provided*, if the city council of any city shall authorize the mayor and aldermen of such city, or the inhabitants of any town shall authorize the selectmen of such town to restrain the sale, by minors, of any goods, wares, or merchandise, the sale of which in the manner aforesaid, is permitted in this section, such mayor and aldermen, or selectmen, while such authority remains in force, may exercise in the premises, all the powers they are by

Articles which may be sold by hawkers, &c. without license.

Prohibited articles.

But the sale by minors may be restrained by town government.