

THE

Charters and General Laws

64102.2

OF

THE COLONY AND PROVINCE

64102.2

OF

MASSACHUSETTS BAY.

CAREFULLY COLLECTED FROM THE PUBLIC RECORDS AND ANCIENT  
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*with a selection from the original records and printed books*

TO WHICH IS ADDED

AN APPENDIX,

TENDING TO EXPLAIN THE SPIRIT, PROGRESS AND HISTORY OF THE JURIS-  
PRUDENCE OF THE STATE; ESPECIALLY IN A MORAL  
AND POLITICAL VIEW.

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PUBLISHED BY ORDER OF THE GENERAL COURT.  
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BOSTON:

PRINTED AND PUBLISHED BY T. B. WAIT AND CO.

1814.

## CHAPTER XCI.

## ACTS TO PROMOTE THE BUILDING OF GOOD SHIPS, &amp;c.

SECT. 1. **W**HEREAS the building of ships is a business of great importance for the common good, and therefore suitable care ought to be taken that it be well performed, according to the commendable course of England and other places:

It is therefore ordered by this court and the authority thereof; that when any ship is to be built within this jurisdiction, or any vessel above thirty tons, the owner, or builder in his absence, shall before they begin to plank, repair to the governor or deputy governor, or any two magistrates, upon the penalty of ten pounds, who shall appoint some able man to survey the work and workmen from time to time, as is usual in England, and the same so appointed shall have such liberty and power as belongs to his office.

Surveyors appointed to view all ships in building.

And if any ship-carpenter shall not, upon his advice, reform and amend any thing which he shall find to be amiss, then upon complaint to the governor, or deputy governor, or any two magistrates, they shall appoint two of the most sufficient ship-carpenters of this jurisdiction, and shall authorize them from time to time, as need shall require, to take view of every such ship and all works thereto belonging, and to see that it be performed and carried on according to the rules of their art.

Their power.

And for this end an oath shall be administered to them, to be faithful and indifferent between the owner and the workman, and their charges shall be born by such as shall be found in default:

Oath.  
Charges.

And those viewers shall have power to cause any bad timbers, or other insufficient work or materials, to be taken out and amended at the charge of them through whose default it grows. [October, 1644.]

SECT. 2. It is ordered by the authority of this court; that all ships, which come for trading only from other parts, shall have free access into our harbours, and quiet riding there, and free liberty to depart without any molestation by us, they paying all such duties and charges required by law in the country, as others do. [1645.]

SECT. 3. This court having perused and considered the letter received from his majesty's most honourable privy council, dated the 24th of June last, relating to an act of parliament, entitled an act for the encouraging and increasing of shipping and navigation; as an addition and explanation of former orders made by this court concerning these affairs:

Officers  
authorized  
about ship-  
ping.

It is hereby ordered and enacted; that the several officers hereafter mentioned are hereby deputed and authorized to see that the said act be performed, so far as it concerns the government of this plantation, both in seizing ships or vessels inhibited by the said act to trade here, taking bonds of all ships and vessels that lade in our ports any commodities expressed in the said act, of the growth, product or manufactory of the English plantations, who shall not produce certificate that they have given bond already as the said act requireth.

And in case of neglects or contempt, to seize such vessels or ships that lade the aforesaid goods without giving bond or shewing certificates: and to keep accounts of all such ships and vessels, with the names of the masters, that lade here as aforesaid, and return an account twice every year with copies of the said bonds and certificates unto the governor for the time being, by him to be transmitted to London, directed to the chief officer there.

Penalty  
for drink-  
ing healths  
&c. in  
ships or  
vessels.

SECT. 4. Be it also enacted by the authority of this court, that no masters of ships, or seamen, having their vessels riding within any of our harbours in this jurisdiction, shall presume to drink healths, or suffer any healths to be drunk within their vessels by day or night, or to shoot off any gun after the daylight is past, or on the sabbath day, on penalty for every health twenty shillings, and for every gun so shot twenty shillings.

And the captain of the castle is hereby enjoined to give notice of this order to all ships that pass by the castle. [1665.]

SECT. 5. To prevent calumny, reproach and prejudice to this colony and the inhabitants, and trade thereof:

All trade  
with ships  
forbidden  
before the  
govern-  
ment be  
acknow-  
ledged.

It is ordered, that no person shall henceforth trade or truck with any vessel that shall arrive upon our coast, until the same shall come under command, and ride in our usual harbours, and have acknowledged the government as the law provides, upon the penalties of all such goods traded, and such further punishment as the court of assistants shall adjudge. [May, 1671.]