

AN ACT

For repealing fundry Laws of this State, relative to High-ways.

Passed 27th
February, 1786.

WHEREAS three several laws have passed the General Court at their present session, entitled, "An Act for laying out High-ways," "An Act for mending and repairing the High-ways in this State," and "An Act to prevent encroachments upon High-ways," which same laws supersede, and are, under the farther continuance of the laws heretofore in force within this State, for the purposes aforesaid, inconvenient :

Preamble.

§ I. **B**E IT THEREFORE ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES, IN GENERAL-COURT CONVENED, That all the laws heretofore in force within this State, relative to high-ways, except an act entitled, "An Act to enable Selectmen to change high-ways, and to apply land left for high-ways, where it is not suitable, and to purchase land suitable for that purpose, where it is wanting," be and hereby are repealed.

Enacting clause.

AN ACT

To prevent the keeping of large quantities of Gun-Powder in private houses in *Portsmouth*, and for appointing a keeper of the Magazine belonging to said town.

Passed 28th
February, 1786.

WHEREAS the keeping of large quantities of Gun-Powder in private houses in Portsmouth, aforesaid, or in merchant ships, or vessels lying at the wharfs in said town, would greatly endanger the lives and properties of the inhabitants thereof, in case of fire ; which danger might be prevented, by obliging the owners of such powder, to deposit the same in the magazine provided by said town for that purpose :

Preamble.

Therefore,

§ I. **B**E IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES, IN GENERAL COURT CONVENED, That if any person or persons, shall keep in any dwelling-house,

Gunpowder not to be kept in dwelling houses, &c.

ling-house, store or other building, on land, within the limits of said *Portsmouth*, except the magazine aforesaid, more than ten pounds of gun-powder at any one time, which ten pounds shall be kept in a tin cannister properly secured for that purpose, such person or persons shall forfeit the powder so kept, to the firewards of said *Portsmouth*, to be laid out by them in purchasing such utensils as they may judge proper for the extinguishing of fire : and the said Firewards are hereby directed and empowered to seize, and cause the same to be condemned in any Court of Law or Record proper to hear and try the same, to be disposed of for the purchase aforesaid. And the offender shall also forfeit and pay a fine for the use of the poor of said *Portsmouth*, equal to the value of the powder so kept in any store, dwelling-house, or building ; which fine, shall be sued for and recovered by the Overseers of the Poor of said *Portsmouth*, for the use of said Poor, in any Court of Law proper to try the same.

Fine.

Gunpowder
to be depo-
sited in the
Magazine.

§ II. AND BE IT FURTHER ENACTED, BY THE AUTHORITY AFORESAID, That every master of any merchant-ship or vessel, bringing gun-powder into said *Portsmouth*, shall, within the space of forty-eight hours after his arrival, deposit in said magazine, all the gun-powder by him so brought as aforesaid : and if he shall neglect so to do, he shall pay a fine of *thirty pounds*, for the use of the Poor of said *Portsmouth*, to be recovered by said Overseers, in manner aforesaid.

A keeper of
the maga-
zine to be
chosen.

§ III. AND BE IT FURTHER ENACTED, That there shall be chosen annually, or oftener if necessity require, by the inhabitants of said *Portsmouth*, being legal voters, a keeper of said magazine, whose duty it shall be, to receive into, and deliver out of said magazine, all the powder so deposited, and to account therefor, who shall have a right to demand and receive for his time and trouble in attending on said business, at the rate of *one shilling* per hundred weight, for all quantities of powder above ten pounds, that he shall so receive into and deliver out of said magazine ; and for all quantities under ten pounds, at the rate of a *half-penny* per pound.

