

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Wednesday the first day of July, 1761, and in the first year of His Majesty's Reign.

1 George III – Chapter 9

An Act for the Appointment of Sworn Gaugers, ascertaining their Duty, granting them an Allowance, and establishing their Fees.

Be it enacted by the Honourable the Commander in Chief, the Council and Assembly, that it shall and may be lawful for his Excellency the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint two gaugers for the port of Halifax, who shall be sworn to the faithful discharge of their duty, and who are hereby authorised to gauge all rum, or other distilled spirituous liquors which shall be imported into, or distilled within the same, and shall perform all such gauging by the instrument commonly called and known by the name of Gunter's Callipers, and no other instrument whatsoever; and who shall have an allowance not exceeding twenty-five pounds per annum each, to be paid out of the duties arising on rum, or other distilled spirituous liquors imported into, or distilled within this Province; and it shall and may be lawful for the said gaugers to demand and receive the following fees.

For gauging a puncheon or pipe	six pence.
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A hogshead or tierce	four pence.
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A barrel	two pence.
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and other cask in proportion, and no more, to be paid by the seller.

Be it further enacted, that for every other port or town within this Province, where no distilling-house is erected, and where it may be necessary for a gauger to be appointed, the said gauger shall be intitled to receive the same fees, as is herein before established for the port of Halifax, with a further allowance of six-pence a mile for his travel.

And be it further enacted, that if any gauger to be appointed as aforesaid, shall neglect to attend upon due notice given for the gauging any rum, or other distilled spirituous liquors imported into, or distilled within the Province, shall forfeit and pay for every such neglect the sum of five pounds with costs, upon conviction thereof by the oath of one credible witness before any two of His Majesty's Justices of the Peace, to be recovered by warrant of distress from under the hand and seal of said Justices, one moiety whereof to be paid to the person who shall inform and sue for the same, the other moiety to the over-seers of the poor, for the uses of the poor of the town where such offence shall be committed.

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Provided always, and it is hereby further enacted, that no fees shall be demanded by the gaugers as aforesaid, for gauging any stock of rum, or other distilled spirituous liquors made up at the distilling-houses within this Province.