

CAP. III.

An ACT in addition to, and amendment of, an Act, entitled, an Act for the appointment of sworn Gaugers, ascertaining their Duty, granting them an Allowance, and establishing their Fees.

For Acts on this subject see note on 1st Geo. 3d. cap. 9.

WHEREAS inconveniences have arisen, from the Gaugers not doing a part of their duty, no penalty being annexed to the neglect thereof, in and by the said recited Act :

Preamble.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That all casks containing rum, wine, and molasses, hereafter imported into this Province, shall be gauged, by the sworn and established Gauger, immediately after landing, and before removal from the wharf whereon it is landed; and the said Gaugers shall mark with a marking iron, the quantity of gallons each cask contains, on the stave, next the bung stave, or upon the head of each cask so gauged by them, with the two first letters of his name, on the left hand of the quantity, all which to be done in a fair legible manner, and in lieu of the present allowance for gauging, such Gauger shall receive for every cask exceeding ten, to be gauged by him at any one time and place, the following fees: for every puncheon, three pence; for every hoghead, or tierce, two pence; and for every barrel, one penny.

Casks containing Rum, &c to be gauged before removal.

Allowance for gauging.

And whereas, in and by the aforementioned Act, no fine or penalty is imposed on such Gauger, or Gaugers, who shall gauge in any other manner, than is directed in the said Act :

II. Be it further enacted, by the authority aforesaid, That if any Gauger or Gaugers, appointed as aforesaid, shall neglect or refuse to do the duty enjoined by this, and the above recited Act, he or they shall for each and every offence, forfeit and pay the sum of forty shillings, to be recovered before any one of His Majesty's Justices of the Peace, by any person or persons, who shall sue for the same, one moiety thereof to the person or persons who shall prosecute for the same, and the remaining moiety to the Overseers of the Poor for the use of the poor, of the township to which such Gauger or Gaugers belong.

Penalty for Gauger refusing to do his duty.

III. And be it further enacted, by the authority aforesaid, That any cask directed by this law to be gauged and marked, which shall be fraudulently removed or exposed to sale without the marks prescribed by this Act, shall be liable to be seized as forfeited, by the Collectors of Impost and Excise, or any other officer employed in the collection of the revenue of this Province; one half of the forfeiture, to be given to the informer, and the other half, to the use of His Majesty's Government in this Province. Provided always, That until persons can be found in the out ports, of this Province, capable of gauging with callipers, that it shall be lawful in such ports, to gauge with a rod, as also in the port of Halifax, when the parties consent.

Ungauged casks, removed or exposed to sale forfeited.

Manner of gauging at out-ports.

CAP. IV.

An ACT to revive, and amend, an Act for establishing the standard Weight of Grain, and for appointing proper Officers for measuring Grain Salt and Coals, and ascertaining the standard size of Bricks, and the quantity of Lime to be contained in a Hoghead.

The Act, of which this purports to be an amendment, was a temporary Act, and suffered to expire.

BE it enacted, by the Lieutenant Governor, Council and Assembly, That the grand jurors for the several counties in this Province at the Court of General Sessions of the Peace, which shall be holden for each county respectively next after the publication of this Act, and thereafter annually at the first sitting of the said Court in every year, shall nominate four fit persons in each

Appointment of persons as measurers of corn, salt, coals, lime and bricks.