

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Fifth Day of December, 1785, in the Twenty-Sixth Year of the Reign of Our Sovereign Lord George the Third, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. and there continued by several Prorogations until the Sixth Day of June, Anno Domini 1792, in the Thirty-Second Year of His Majesty's Reign; being the Seventh Session of the Sixth General Assembly convened in the said Province. From Richard John Uniacke, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: A complete index and abridgement of the whole. John Howe and Son, 1805.

32 George III – Chapter 3

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.

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:

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 hogshead, or tierce, two pence; and for every barrel, one penny.

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.

III. And be it further enacted, by the authority aforesaid, that any cask directed by this law to be gauged or 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 outports, 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.