

unlading and storing, and without being subject to any duty, upon the like conditions, as persons are by the said Act permitted to export the like articles, by them imported into this Province. *Provided always*, That no person as aforesaid, shall be entitled to the benefit of this clause, who shall be proved to have sold any part of the said dutiable articles, except such as may be sufficient to pay for the necessary repairs of such vessel or vessels, and shall have been permitted to be sold for that purpose by the Commissioners of the Revenue.

Articles sold for the payment of repairs, liable to duty.

All wines in future to pay only six pence per gallon.

All rum, &c. distilled within the Province in future, to pay only three pence per gallon.

Exporter of dutiable articles to make and subscribe the following oath.

Form of oath.

Act continued to 24th July 1795.

Provided also, That if any part of the said dutiable articles shall be sold for the payment of the repairs, and other necessary charges, that may arise in refitting such vessel or vessels, for the prosecution of her or their intended voyage, the same shall be subject to, and pay the whole of the duties imposed by the aforesaid, or any other, Act or Acts of this Province.

VI. *Be it further enacted, by the authority aforesaid*, That all wines imported into this Province, shall, in future, pay only six pence per gallon, in lieu of the nine pence per gallon, imposed thereon, by the Act herein last before-mentioned, of which this is an amendment, any thing herein, or therein, contained to the contrary notwithstanding.

VII. *Be it further enacted, by the authority aforesaid*, That all rum, and other spirituous liquors, distilled in this Province, shall, in future, pay only three pence per gallon, in lieu of the six pence per gallon imposed thereon, by the Act herein last before-mentioned, of which this is an amendment, any thing herein, or therein, contained to the contrary notwithstanding.

And for the more effectual preventing of frauds on the exportation of articles liable to duties, by the aforesaid Acts:

VIII. *Be it enacted, by the authority aforesaid*, That no person or persons shall have credit for, or shall be paid, the duties by him or them paid, or secured, on such articles by him or them exported, unless he, or they, shall, after the exportation thereof, or some other person in his or their behalf, in case of the absence of such person or persons exporting the same out of this Province, make and subscribe the following oath, viz.

I A. B. do swear, that I verily believe the rum, or other spirituous liquors, by me exported to a certificate of the landing of which is now by me exhibited, has been really and *bona fide* landed at the said place, and that the same has not, to my knowledge, or belief, been again landed, sold, or exchanged, in any part of this Province.

IX. *And be it further enacted, by the authority aforesaid*, That this Act, and the last above-mentioned Act, of which this Act is an amendment, and every matter and clause therein contained, shall be in force from the first day of July, one thousand seven hundred and ninety four, until the first day of July, one thousand seven hundred and ninety-five, inclusive.

CAP. VIII.

An ACT to continue in Force, the several Acts therein mentioned

CAP. IX.

An ACT to regulate the packing and inspecting of Salted Beef and Pork, for Exportation.

Preamble.

WHEREAS it is necessary, for the encouragement of raising neat cattle and hogs, as staple articles of exportation from this Province, to apply every necessary precaution to prevent salted beef and pork being shipped, otherwise than in the best manner and condition, and under certain regulations:

1. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That from and after the publication hereof the Grand Juries of the several counties in this Province, at their General Session of the Peace in each of the said counties, wherein by law town officers are to be nominated and appointed, shall nominate, out of every township in such county, four fit persons, out of whom the said Court of Sessions shall appoint two, to be inspectors and repackers of beef and pork intended for exportation: which inspectors and repackers shall hold and exercise their said office for and during the year succeeding such their nomination and appointment, and until others shall be appointed in their stead; and shall, within eight days after notice of their appointment, and before they enter upon the execution of their office, take the following oath, before some one Justice of the Peace for the county wherein they reside, viz.

Appointment of
Inspectors and
Repackers of
Beef and Pork
for exportation.

I A. B. do swear, that I will faithfully, truly and impartially, according to the best of my judgment, skill and understanding, execute, do and perform, the office and duty of an inspector and examiner of beef and pork, according to the true intent and meaning of the laws of this Province relative to the same.

Inspectors oath.

II. *And be it further enacted, by the authority aforesaid,* That from and after the publication of this Act, all barrels in which any beef or pork shall be repacked, shall be made of good sound hard wood staves and heading, with not less than twelve hoops on each barrel, and shall be of such size and dimensions as herein after expressed, and be made as nearly strait as possible, and in every respect sufficient to hold pickle, and that all half barrels shall be made of the like materials and quality.

Barrels to be
made of hard
wood staves, and
twelve hoops on
each.

III. *And be it further enacted, by the authority aforesaid,* That the inspectors and repackers, so to be appointed, shall examine and sort all beef and pork to be by them repacked, and such as is well fattened, and in every other particular in a good state for exportation, shall be by them repacked into barrels in the following manner, that is to say: such beef as is large and fat without either hocks, shins or neck pieces, shall be sorted by itself, and on one of the heads of all barrels, containing beef of this quality, shall be branded the words mefs beef, and that such beef as is not of the very first quality, shall be sorted and repacked by itself, and on one of the heads of all barrels, containing beef of this quality, shall be branded the words prime beef, in each of which barrels of prime beef there shall be at the least one round, and not more than two hocks or shins, and one half of the neck, and to be good and well fattened beef, and such as is inferior or third quality beef, shall in like manner be sorted and repacked by itself, and on one of the heads of all barrels, containing beef of this quality, shall be branded the words cargo beef, which shall not contain more than three hocks or shins, and one half of the neck in each such last mentioned barrel. And further that every barrel in which any kind of beef, shall be so repacked as aforesaid, shall contain two hundred neat pounds of such beef, and the figures 200 shall be branded on one of the heads of each and every such barrel, and shall be of such size and dimensions as to hold not more than thirty one or less than thirty gallons; and that each barrel of pork shall contain two hundred neat pounds of pork, well fattened, the first quality of which shall not have in each barrel more than three shoulders without the legs, which shall be cut off at the knees, and such a proportion of head or heads, as shall not exceed twenty four neat pounds in weight, the ears and snouts cut off, and on one of the heads of all barrels containing pork of this quality, shall be branded the words prime pork, with the figures of 200 thereunder. The second quality of pork, shall not have in each barrel more than five shoulders without the legs, and not more than two heads, which shall not exceed thirty neat pounds, and shall be otherwise good merchantable pork, on one of the heads, of all barrels containing pork of this last mentioned quality, shall be branded the

Inspectors to ex-
amine and sort
beef and pork.

Mefs Beef to be
packed by itself,
and the barrel
branded accord-
ingly.

Second quality to
be branded prime
beef.

Third quality to
be branded car-
go beef.

Each barrel to
contain two hun-
dred pounds of
beef or pork,
and to be brand-
ed.

words

words cargo pork, with the figures 200 thereunder; and all barrels wherein such pork shall be repacked shall be of the dimensions to contain not more than thirty, or less than twenty nine gallons.

Half barrel to contain one hundred pounds.

IV. *And be it further enacted, by the authority aforesaid,* That every half-barrel, in which beef shall be repacked by virtue of this Act, shall be of such size as to hold not less than fifteen gallons, and one half gallon, or more than sixteen gallons, and shall contain one hundred neat pounds of beef; and every half barrel in which pork shall be so repacked, shall be of such size, as to hold not less than fifteen gallons, or more than fifteen gallons and one half gallon, and shall contain one hundred neat pounds of pork, and on one of the heads, of every such half barrel of beef or pork, shall be branded the figures 100, and in other respects to be assorted and branded, and under the same rules and restrictions, as full barrels of beef and pork are herein before directed to be.

Beef or pork not to be repacked until in salt fourteen days. How each cask is to be branded. Inspectors to secure the marking irons, from their servants.

V. *And be it further enacted, by the authority aforesaid;* That not any beef or pork shall be repacked until the same has been laid in salt not less than fourteen days before such repacking, and all casks of beef and pork so repacked, shall be branded with the initial letters of the inspector's and repacker's christian name, with his surname at full length, together with the name of the place where repacked. And every inspector and repacker of beef and pork, shall carefully secure such his marking irons, so as to put it out of the power of his servants, or others, to obtain and make use of them contrary to the true intent and meaning of this Act.

Allowance to Inspector.

VI. *And be it further enacted, by the authority aforesaid,* That the inspectors and repackers shall receive and be paid for inspecting and repacking, after the rates following, that is to say: for inspecting and repacking each barrel, one shilling, and for each half barrel, seven pence half penny; for each hoop wanting, and put on by the inspector and repacker, two pence, and for flagging, nailing, pegging, and pickling, each barrel, seven pence half penny, and each half barrel, five pence, the owner of the beef or pork, furnishing, or paying for, the salt.

Penalty for such as shift beef or pork after inspection.

VII. *And be it further enacted, by the authority aforesaid,* If any person or persons shall, at any time hereafter, intermix, take out or shift, any beef or pork that has been repacked and branded as aforesaid, and shall export, or lade on board any vessel for exportation, such beef or pork so intermixed, taken out or shifted, every person so taking out, intermixing and fraudulently shifting, such beef or pork, shall, on conviction thereof, forfeit and pay the sum of fifty pounds: to be applied to the benefit and use of the informer or informers.

Penalty for Inspectors that transgress.

VIII. *And be it further enacted, by the authority aforesaid,* That if any inspector or repacker, hereafter to be appointed by this Act, shall inspect, repack or brand, any barrels or half barrels of beef or pork, in any manner or form contrary to the true intent and meaning of this Act, or shall, in any other manner, offend against the true intent and meaning thereof, such inspector and repacker shall forfeit for every offence, the sum of fifty pounds, the one half of which shall be applied to the use of the poor of the township wherein the offence is committed, and the other half to be paid to the person or persons informing.

Penalty for such as export uninspected beef or pork.

IX. *And be it further enacted, by the authority aforesaid,* That from and after the appointment of such inspectors and repackers, if any person or persons shall export, or ship for exportation out of this Province, any beef or pork, not being inspected, repacked and branded, by one of the sworn inspectors and repackers as aforesaid, every such exporter and master of every vessel, having on board such uninspected beef or pork, shall, upon conviction, respectively forfeit and pay the sums following: for every barrel of beef or pork, so exported, or shipped for exportation, as aforesaid, that is to say, the owner thereof shall forfeit and pay for every such barrel, the sum of forty shillings, and the master of every vessel, having the same on board, shall forfeit and pay, for every barrel, twenty shillings, and further, that the said inspectors, and every of them, shall have full power and authority, by virtue of this Act, on suspicion

Of uninspected beef or pork laden on board of vessels for exportation.

that

that any beef or pork, not inspected as aforesaid, shall be shipped in any vessel for exportation; to apply to any Justice of the Peace, and, on oath, to assign to such Justice, the causes of such suspicion, and if the said Justice shall think the said suspicion well grounded, he shall issue his warrant to the said inspector or inspectors, to enter on board any vessel whatever, laden, or loading in any port within this Province, and to search for, and make discovery of, any beef or pork shipped on board any such vessel, for exportation out of this Province: And if any of the said inspectors shall discover any beef or pork not repacked or branded as directed in, and by this Act, on board of any such vessel, such inspector shall apply to such Justice of the Peace, who is hereby authorized and required, to issue his warrant directed to the Sheriff, his deputy, or any of the Constables of the county, wherein such vessel is laden, or loading as aforesaid, commanding him or them to enter on board every such vessel having on board such uninspected beef or pork, and cause the same to be relanded and delivered to the owner or owners thereof, upon his or their paying all reasonable and lawful expences for the aforesaid warrant, search and relanding; and if any person or persons shall obstruct, or prevent, any inspector from making such search as aforesaid, or any peace officer, in relanding such beef or pork, each and every person so offending, shall forfeit and pay the sum of fifty pounds, to be paid to the overseers of the poor for the township, wherein such offence is committed, the same to be recovered on the oath of the inspector or peace officer.

Penalty for obstructing Peace officer on entering any vessel, to search for or unlade uninspected beef and pork.

Provided always, nevertheless, That each and every vessel bound for any voyage, and not carrying any beef or pork out of the Province for sale, shall, and may, be permitted to carry any quantity of beef and pork for the use of the ship's company, not exceeding in the whole, two thousand pounds, gross weight, in any manner or mode, that the owner of such vessel may think proper.

Of beef or pork for ship's use.

X. *And be it further enacted, by the authority aforesaid,* That all and every the forfeitures and penalties aforesaid, shall and may be recovered, with costs of suit, in the Supreme Court, or the Inferior Court of Common Pleas, by any person or persons who will sue and prosecute for the same to effect, by bill, plaint or information.

Manner of recovering forfeitures

XI. *And be it further enacted, by the authority aforesaid,* That this Act shall continue, and be in force, for two years, from the end of the present Session of the General Assembly, and no longer.

Act to continue for two years.

CAP. X.

An ACT for providing for the Trial of Issues, by Justices of *Nisi Prius*, in the Counties of Sydney, Lunenburg, Queen's County, and Shelburne.

WHEREAS it is highly expedient for the due administration of Justice, that Courts of *Nisi Prius*, should be established in the several counties in this Province, in which His Majesty's Supreme Court are not now by law, authorized to sit:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That when and so often as any issue or issues shall be joined in His Majesty's Supreme Court, which issue or issues ought, by the law of the land, to be tried in the respective counties of Sydney, Lunenburg, Queen's County and Shelburne, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to assign one or more Justice or Justices of the Supreme Court, joining, with him or them, one or more of the Justices of the Inferior Court, for the particular county, to try such issue or issues in and by a jury of the county, in which the venue or venues shall respectively be laid; which Justice or Justices shall proceed to try such issue

Trial of issues by commission, in the counties of Sydney, Queen's County and Shelburne.