

CAP. XVI.

An ACT to regulate the Exportation of Ton Timber, and to repeal two Acts made in the twelfth and thirty-third years of His Majesty's Reign, declaring what shall be deemed Merchantable Timber, for exportation to Great-Britain.

Timber fit for exportation.

BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, all hewed Timber, commonly called Ton Timber, which shall be exported from this Province, shall be strait lined, and well squared, without offsets or joints, and square butted at both ends, and shall also be square edged and free from all marks of scoring, rots, splits, or worm holes which may be detrimental to the same.

Length of Spruce, Pine, Birch or Hard-wood Timber.

II. *And be it further enacted*, That no Spruce or Pine Timber, shall be less than sixteen feet in length, nor any Birch or other Ton Timber, commonly called Hard Wood Ton Timber, less than ten feet in length, nor shall any Ton Timber be considered Merchantable, unless the same shall square at least ten inches; and where the Timber does not exceed the length of sixteen feet; it shall be of equal bigness at both ends.

Squared Timber certified for exportation.

III. *And be it further enacted*, That if any Surveyor of Ton Timber after the publication of this Act, shall certify as Merchantable for exportation, any Ton Timber contrary to this Act, he shall forfeit and pay, for each and every offence, the sum of ten pounds.

Penalty for Shipping Timber unless surveyed.

IV. *And be it further enacted*, That if any person or persons shall, after the publication of this Act, ship or export out of this Province, any Ton Timber, which shall not have been regularly surveyed by a sworn Surveyor, and by him certified as Merchantable and fit for exportation, he or they shall forfeit and pay, for each and every offence, the sum of twenty pounds: the above fines to be recovered by bill, plaint, or information, in any Court of Record within this Province; the one half of the said fines to be applied to the use of his Majesty, his Heirs, and Successors, and the other moiety thereof, to him or them who shall prosecute for the same.

Application of Penalties.

V. *And be it further enacted*, That the Surveyors of Timber shall be entitled to receive three pence per Ton for Surveying the same, with four pence per mile for every mile they shall necessarily travel in coming to the place of performing such duty, and shall in all cases measure Ton Timber by the girth, one quarter part of the girth to be taken as the side of the square.

Allowance to Surveyors.

Timber Contracts.

VI. *And be it further enacted*, That when any Contract or Bargain shall be made for any quantity of Timber for exportation, the same shall be understood to be for Timber according to the directions of this Act, and no person shall be obliged to take any other kind of Timber, unless he shall have previously made a special agreement for the same.

Acts 12th Geo. III. and 33d Geo. III. repealed.

VII. *And be it further enacted*, That the Act passed in the twelfth year of his present Majesty's Reign, entitled, An Act declaring what shall be deemed Merchantable Timber for exportation to Great-Britain, and also the Act passed in the thirty-third year of his said Majesty's Reign, entitled, An Act in addition to, and amendment of, an Act, passed in the twelfth year of the Reign of his present Majesty, entitled, An Act declaring what shall be deemed Merchantable Timber for exportation to Great-Britain—and every clause and thing therein contained, be, and the same are hereby repealed.