

Damages may be recovered by Justice

V. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to deprive any person or persons of the right he or they may have to recover damages for any injury sustained by the keeping up of said Draw, beyond the time herein before limited, or by its not being replaced in a careful and proper manner, or by any other thing connected therewith.

CAP. XXXVIII.

An Act to secure to William Hague, and his Assigns, for a definite period, the exclusive use of the Cast Metal Patent Machine or Weigh-Bridge, for the purpose of Public Weighing in the Town of Halifax.

Preamble

WHEREAS, *William Hague proposes to import and bring into the Town of Halifax, at a large expense, a Cast Metal Patent Machine, called a Weigh-Bridge, for the purpose of weighing for the Public, at a fixed rate, in said Town, provided he can have the exclusive privilege of using such Machinery for public weighing for a certain term:—And whereas, it is desirable that such improved Machinery should be brought into use in said Town:*

Privilege granted to William Hague to import and use for ten years, a Cast Metal Patent Weighing Machine

*I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That from and after such time as the said William Hague shall have imported, and fully prepared for use in the Town of Halifax, at some convenient place, a Cast Metal Patent Machine or Weigh-Bridge, upon improved principles, to weigh as much as Five Tons at one time, and the same shall be such as shall meet with the approbation of the Justices in Session, or a majority of them, and be so certified, the said William Hague and his Assigns, shall have, exercise and enjoy, the right and privilege of weighing for the Public in the Town of Halifax, with such Machine, for such time during the term of Ten years then next ensuing, as the said Machine shall be kept in good order and ready for public use, subject to the conditions of this Act. *Provided however, That the said Machine shall be so imported, and made ready for use in said Town, within one year next after the publication hereof, and that such right and privilege shall cease and be determined at any time when the public right of using said Machine shall be withheld, or may have been suspended for the term of six months.**

Proviso

*II. And be it further enacted, That during such part of the said term of ten years as the said right and privilege shall be held and enjoyed by the said William Hague and his Assigns, it shall not be lawful for any other person or persons, to use, in or for public weighing, in said Town, or its vicinity, any such Machine, or Weigh-Bridge, as that to be so imported and brought into use by the said William Hague; but such right and privilege of using for public weighing such Weigh-Bridge as aforesaid, shall be confined to, and enjoyed exclusively by, the said William Hague, and his Assigns, for and during such term, within the said ten years, as he and they may be entitled to such right under the provisions of this Act, and shall conform thereto.—*Provided always, That nothing herein contained shall extend, or be construed to extend, to prohibit the use of the Weighing Machines at present erected and used in said Town, or any other of a similar construction.**

Privilege granted exclusively to William Hague

Proviso

III.

III. *And be it further enacted,* That the price or fees for Weighing, and the trouble connected therewith, to be charged and taken by the said William Hague and his Assigns, for such Public Weighing with said Weigh-Bridge, shall be as follows, and no more, viz:—

Allowance for Weighing

For any article or articles weighed at one time, whose weight shall not exceed fifteen hundred weight—six pence.

For every such article or articles, so weighed at one time, whose weight shall be upwards of fifteen hundred weight, and not exceed one ton—one shilling.

And in like manner, the addition of three pence for every additional five hundred weight, and so upwards, to the next additional five hundred weight, in such way as above regulated, with regard to articles weighing from fifteen hundred weight to one ton. *Provided,* the same do not exceed three tons at one time.

And for such article or articles, weighed at one time, as shall be of the weight of three tons or upwards, the sum of three shillings, and no more.

Provided always, That no fee or charge whatever shall be demanded, made or taken, by the said William Hague, or his Assigns, for the weight of the Cart, Waggon, Truck, Sled, or other Carriage, containing the articles so weighed by such machine; and that he and they shall be bound to weigh such Carriage free of expense, after its load shall have been discharged, so as to ascertain the true weight thereof, and shall deduct the same from the gross weight, and charge only for the net weight of the article or articles.

Proviso

V. *And be it further enacted,* That if the said William Hague, or his Assigns, shall receive for such weighing, and the giving the usual Ticket, and any other trouble connected therewith, any other or greater fees than such as are herein before specified, it shall and may be lawful for the Justices of the Peace, in any General or Quarter Sessions, held in said Town, to declare and pronounce the right and privilege herein granted to the said William Hague and his Assigns, to be determined, and the same shall thereupon be determined and cease accordingly.

Demanding more than the legal allowance for Weighing

VI. *And be it further enacted,* That the said William Hague and his Assigns, and each of them, before making use of the said Machine or Weigh Bridge, for the purpose of Public Weighing, shall be severally sworn to the faithful discharge of their duties, as Surveyors and Weighers of Hay, and be duly qualified therefor, in manner as is prescribed by the Laws of this Province; and shall be in addition to any Surveyors and Weighers of Hay that may be appointed and qualified under the said Laws. *Provided nevertheless,* That it shall not be lawful for the said William Hague, or his Assigns, to ask or receive, for his or their services or trouble, as such Surveyor or Weigher, in any manner whatever, any other or greater fees than those herein before mentioned and appointed therefor.

William Hague and his Assigns to be severally sworn

Proviso