

An Act ascertaining the Gauge of Tobacco Hogsheads.

Lib. L. L.
No. 64.

Be it enacted by the Queens most excellent Majesty by and with the Advice and Consent of her Majestys Governour Councill and Assembly of this Province and the Authority of the same that what person or persons soever shall make or Cause or Suffer to be made for his use any Tobacco hogshead or Hogsheads which shall exceed forty Eight Inches in length of the stave and thirty two Inches in the head to be measur'd or shall make or cause or Suffer to be made for his own use any Tobacco Hogshead or Hogsheads under the size of forty six inches in length and thirty inches in the head and the same hogsheads or any of them shall pack full of Tobacco shall forfeit and pay the sume of one hundred pounds of Tobacco Of which one half to her Majesty her heires and Successors for the Support of the Government of this Province and the other half to him or them that complaine of the same and Cause the same to be proved and such Complaint shall be made to one or more Justice or Justices of the peace next adjoining who upon such Complaint shall issue out a warrant to the Constable of the Hundred to bring before him or them the person or persons ag^t whom such Complaint is made and the Witnesses which the Complainant shall name which Justice or Justices shall have full authority by vertue of this Act to hear and Determine the matter and if the Complainant shall prove his Complaint before the Justice or Justices aforesaid by his own oath & the oath of one Sufficient Evidence beside or Confession of the party the said Justice or Justices of peace shall make out warrant to the Sheriff to levy the same by Distress and sale of the Goods and Chattells of the party having so offended and to pay the Moyety to the said Complainant as aforesaid and the other Moyety for the Queens use to Certify to her receiver Generall or the Governour for the time being. p. 135

And if any Person or persons as aforesaid shall pack or Cause or Suffer to be packt full with Tobacco any Green or not well Season'd Tobacco Hogshead or Hogsheads and the same pay away and be thereof Convict in manner aforesaid He or they shall forfeit for every Hogshead or Hogsheads so packt and paid away as aforesaid the sume of one hundred pounds of Tobacco as aforesaid to the uses aforesaid to be recovered as aforesaid.

And be it further enacted that if any person or persons shall after the tenth day of December next ensuing pay or tender to pay any packt Hogshead of Tobacco whereof the full weight of the empty Hogshead or the full weight within five pounds over or under is not Cutt and markt on the Bulge