

C H A P.
XV.

barter, or sell, or expose, or offer to Sale, in any way whatsoever, to any Person or Persons whatsoever, such Barrel or Barrels of Beef, Pork, Pitch, Tar, or Turpentine, or any of them; all and every such Person or Persons shall be liable to, and pay the Forfeitures and Penalties in this Act mentioned, for every Barrel bartered away, bargained, or sold, or exposed, or offered to Sale, contrary to this Act.

Penalty on Persons packing for Sale, or offering to Sale, Flour or Bread, in Cask not truly tared, 5 s. per Barrel.

VIII. And be it further Enacted, *by the Authority aforesaid*, That any Person or Persons whatsoever within this Province, who shall, after the said first Day of *October*, pack into any Barrel or Barrels Flour, or into any Barrel or Barrels or other Cask Bread, for Sale, and shall not put on the Bilge of such Barrel or Barrels, Cask or Casks, the just and true Tare of such Barrel or Barrels, Cask or Casks, with Marking Irons, in plain Figures, and shall, without such Marking of the Tare aforesaid on the Bilge of every such Barrel or Barrels, Cask or Casks, expose such Barrel or Barrels of Flour, or Barrel or Barrels, Cask or Casks of Bread, to Sale, without the true Tare of such Barrel or Barrels, Cask or Casks, being marked on the Bilge as aforesaid, shall, for every such Barrel or Cask so exposed to Sale, contrary to this Act, forfeit and pay the Sum of Five Shillings Current Money.

Prosecutions on this Act to be commenced within 15 Days.

IX. And be it further Enacted, *by the Authority aforesaid*, That all, or any Action or Actions to be brought, or Complaint made, to a Justice of the Peace, as the Case may require, for any Breach or Breaches of this Act, shall be commenced or made within Fifteen Days next after the Offence or Offences committed, or Discovery made of the same, and not after.

Penalties how to be recovered,

and applied.

X. And be it further Enacted, *by the Authority, Advice and Consent aforesaid*, That all the Penalties and Forfeitures in this Act before mentioned, shall and may be recovered with Costs in any County Court of this Province, in the Name of the Lord Proprietary, and the Informer, by Action of Debt, Bill, Plaint, or Information, in which no Effoin, Protection, or Wager of Law shall be allowed; or before a single Magistrate, as the Case shall require: One Moiety of which Penalties and Forfeitures shall go to the County, to defray the contingent Charges of the said County, where the Action is commenced, or Complaint made and determined; the other Moiety to him, her, or them, who shall inform, or sue for the same.

But none shall be liable to the Penalties after the Goods have been received by the Buyer, unless Information be made in Ten Days.

XI. Provided always, and it is the true Intent and Meaning of this Act, That no Person or Persons, bartering, or selling, such Barrel or Barrels of Pork, Beef, Pitch, Tar, Turpentine, Flour, or Bread, as aforesaid, in any Manner, contrary to this Act, shall be subject or liable to any Forfeiture or Forfeitures in this Act contained, after the same is taken and received out of his or their Possession, by the Buyer or Buyers, and unless such Information be made as aforesaid, to some Magistrate, within Ten Days next after committing such Offence or Offences.

Continuance.

XII. This Act to continue for Three Years, from the said First Day of *October*, and unto the End of the next Session of Assembly which shall happen after the said Three Years.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

Continued by 1750, *ch.* 10; 1753, *ch.* 3; 1757, *ch.* 6; 1760, *ch.* 11; and 1763, *ch.* 12, for Three Years, &c.