

of Calvert county; Thomas Barnes, of Baltimore county; Edward Davis, Isaac Green, Charles Fullerton, George Taylor, of Somerset county; James Barrance, William Graham, John Thomas, Unicy Williams, James Underwood, of Dorchester county; John Field, Rhodes Clark, Moses Guttry, of Worcester county; John Bryan, Abner Jones, Thomas Sparks, James Crann, of Queen-Anne's county; John Smallwood, Thomas Coffey, Joseph Hagar, Alexander M<sup>r</sup> Pherfon; Matthew Coffey, Benjamin Gardiner, of Charles county; John Burkett; of Cecil county.

C H A P. XXII.

C H A P. XXIII.

An ACT for regulating the gauging of casks in the town of Baltimore.

**W**HEREAS great abuses are daily committed in the buying and selling of wine, rum, and other liquid merchandises, in disproportionable casks, in Baltimore-town, which have been usually gauged by the diagonal, which is known not to be an exact rule to find the contents of a disproportionable cask, and the persons selling such commodities commonly refusing to submit to any other method or rule of gauging, the purchaser is thereby imposed upon, and often suffers great loss in want of just measure,; for the redress of which abuse for the future in the town aforesaid,

Preamble:

II. *Be it enacted, by the right honourable the lord proprietary, by and with the advice and consent of his governor, and the upper and lower houses of assembly, and the authority of the same,* That if any merchant or other person whatsoever, shall sell, or put to sale, any butt, tun, pipe, hoghead, barrel, or other cask of rum, wine, molasses, or other liquid merchandise, imported, brought into, or made, in the said town, before the gauger hereafter mentioned, or his deputy, shall have plainly and truly set down or marked upon the head of such vessel, the capacity and full contents of the same, according to the standard and excise of wine measure, by the gallon, each person or persons shall forfeit, for the uses directed in this act, the sum of eight pounds current money for every cask so sold or put to sale.

Persons not to sell any cask of rum, &c. before the same be gauged, &c.

III. *And be it enacted,* That if any merchant or other person shall sell, or put to sale, any such rum, wine, molasses, or other liquid merchandises, as aforesaid, in the said town of Baltimore, in any cask or vessel having the number of gallons set down and marked on the head of such vessel, and the same shall be found to lack of the contents marked on the said vessel, such person shall forfeit and pay, to the uses directed in this act, the sum of eight shillings current money for every gallon marked or numbered on the said cask more than it will truly contain.

Penalty on persons selling, when the cask shall be found to lack of the contents marked.

IV. *And,* to the end that all persons dealing in such merchandise may the more easily and readily be informed and assisted in discovering the true quantity of such liquid merchandise, imported, brought into, or made in the said town, *Be it further enacted,* That the person who shall be appointed gauger of wine, rum, molasses, and other liquid merchandises, in the town aforesaid, by the commissioners of Baltimore-town aforesaid, for the time being, or the major part of them, which commissioners, or the major part of them, are hereby empowered to appoint such gauger, and him remove and another in his stead appoint, the said gauger (before he enters upon his said office, having taken an oath, or affirmation if a quaker, well and truly to execute the office of gauger in the said town, between buyer and seller,) is hereby empowered by himself, or his proper deputy or assistant, to gauge all such rum, wine, molasses, or other liquid merchandise, imported, brought, or put in any butt, tun, pipe, hoghead, barrel, or other cask, in the said town, when he the said gauger, or his deputy, shall be thereunto required; and that they shall mark and set down the true number of gallons, according to the English standard and excise of wine measure, which each cask or vessel will truly contain, with their own mark; all which casks, with their true marks and numbers, and owners names, shall be entered in a book or books to be kept for that purpose by the said gauger, or his proper deputy, to which recourse may be had as occasion may require; for a copy of which entry they shall receive three-pence common money, and for each cask so by them gauged and marked, they shall receive the sum of four-pence common money, and no more; and if any cask or other vessel, gauged and marked by the said gauger, or his

Gauger to be appointed, &c.

lawful