

the same, to be recovered in the provincial court of this province against such justices, jointly or severally, by action of debt, bill, plaint or information, wherein no essoin, protection or wager of law to be allowed. C H A P. X.

III. AND BE IT FURTHER ENACTED, by the authority aforesaid, by and with the advice and consent of the Council, That all persons, whether inhabitants or foreigners, shall repair and bring their steelyards, with which they weigh and receive their tobacco, to the standard, yearly and every year, to be tried, stamped and numbered, for which they are to pay the person keeping the standard one shilling for every time such steelyards shall be tried and stamped as aforesaid; and every person or persons shall have their bushel, half-bushel, peck, gallon, pottle, quart and pint, if they make use of the same, or any of them, in buying or selling, duly tried and stamped at the standard aforesaid, except such of the measures aforesaid, as come out of England, and are there stamped; for which trying and stamping they shall pay six-pence a piece. Steelyards to be stamped, &c.

IV. AND Whosoever shall presume to sell by any dry measures, without first having the said measures tried and stamped at the standard, shall forfeit the sum of five hundred pounds of tobacco. (2) None to sell by dry measure.

(a) By November, 1765, ch. 7, persons buying by any dry measure, contrary to this act, shall forfeit five pounds, to be recovered by action of debt, bill, &c. provided such action shall be commenced within one year from the offence.

V. AND Whosoever likewise shall presume to weigh and receive tobacco by steelyards which have not, within one year past from such weighing and receiving, been tried and stamped at the standard, shall forfeit one thousand pounds of tobacco, the one half of which aforesaid forfeitures to be paid to his majesty, his heirs and successors, towards the defraying the charge of the county where the offender shall dwell or reside, and the other half to the informer or informers, to be recovered in any county court of this province by bill, plaint or information, wherein no essoin, protection or wager of law to be allowed. Penalty for weighing with unmarked steelyards.

VI. AND If any person or persons shall refuse to pay any tobacco by such steelyards, tried and stamped as aforesaid; and shall thereby compel the owner to have them tried over again within the year, if the steelyards are true, such person so refusing or compelling as aforesaid shall pay for the new stamping, but if not, the owners of the steelyards to pay for the same. Who are to pay.

C H A P. XI.

An ACT against embezzlement of wills or records within this province. Lib. LL. No. 4. fol. 132.

Passed 3d of June, 1715.

FORASMUCH as there is not any sufficient remedy provided against such as shall embezzle, alter or raze, any records of deeds for conveying of land within this province, or any will, or records of wills, or other deeds or instruments, that shall any ways touch or concern the estate of inheritance or freehold of any person whatsoever; and for that it is found necessary to make some provision against such evil practices. Preamble.

II. BE IT THEREFORE ENACTED; by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, Council and Assembly of this province, and the authority of the same, That in case any person whatsoever shall, at any time hereafter, be legally convicted, by confession or otherwise, of wilfully or corruptly embezzling, impairing, razing or altering any will or record within this province, whereby the estate of inheritance or freehold of any person whatsoever shall be defeated, injured, or any ways altered, such person so convicted shall forfeit all his goods and chattels, lands and tenements, the one half to our Sovereign Lord the King, his heirs and successors, for the support of government, the other half to the party grieved, and shall also be set in the pillory for the space of two hours, and have both his ears nailed thereto, and cut from off his head. Penalty for embezzling wills, &c.

C H A P. XII.

An ACT for the speedy recovery of small debts out of court before a single justice of the peace. Lib. LL. No. 4. fol. 133.

N. B. This act was repealed by the temporary law of 1753, ch. 13, since expired, and stood under a repeal, by a like temporary law of 1763, ch. 21. It has been since repealed by 1791, ch. 68.

C H A P. XIII.

An ACT empowering a committee to lay, assess and apportion the public levy for this present year, one thousand seven hundred and fifteen. Lib. LL. No. 4. fol. 134.