

found wholly impracticable & in a Manner impossible to pack
 or prize so much of it in a Hogshead of the late Gauge of
 thirty Inches in the Diameter of the Head as would suffice for
 the paymt. of freight & other Charges arising thereon the
 Freighters of such small Hogsheads having been frequently brought
 in debt by the smallness of the quantity of Tobacco contained
 therein to the great Damage of the Trade particularly of the
 fair traders there in wch seems in a Manner to have brought
 the latest of the aforementioned laws almost into a gen^ll. Contempt
 it being rather more mischievous to the Freighters to be brought
 in debt by their strict Observance of that Gauge than to lose
 their Tobacco here for exceeding it for remedy whereof for the
 future - Be it enacted by the Kings most excellent Majesty
 by & with the Advice & Consent of his Majestys Governour Council
 & Assembly of this Province & the Authority of the same that
 from & after the twenty ninth day of September next it shall
 & may be lawfull for any person or persons what soever
 suspecting discovering or knowing of any Hogshead or Hogsheads
 of Tobacco that shall exceed forty eight Inches in the length
 of the Stave or thirty two Inches in the Diameter of the Head
 within the Groze or that shall exceed thirty seven ^{inches} diameter in
 the bulge on any accident or pretence whatsoever (thirty six
 Inches diameter in the bulge being supposed a Competent Gauge) to
 Call to his assistance any Justice of peace Sheriffe Westryman or
 Church Warden living or residing within the County where such
 Tobacco shall be suspected known or discovered & to enter into any
 house ware house ship boat or other Vessells there in the presence of
 such Justice or other Officer aforesd who are hereby required to be
 present aiding & assisting to such informer therein to seize & Marke
 with the broad Arrow every such Hogshead or Hogsheads of Tobacco as
 such Informer shall request such Justice or other Officer to View on
 Suspicion of exceeding the Gauge aforesd & also that such Justice
 or other Officer shall on request of such Informer & is hereby required
 to proceed in such Manner as he shall think most proper to Examⁿ
 the Gauge thereof so as no Hogshead or Hogsheads of Tobacco shoud
 away on board of any ship or other sea Vessel shall on such Informa-
 tions be unstowed unless such Hogshead or Hogsheads appear in
 View & if upon such Examination any Hogshead or Hogsheads
 shall be found by such Justice or other Officer aforesd to exceed the
 Gauge aforesd it shall be lawfull thereto not otherwise for such Justice
 or other Officer medrately to Condemn the same to the use of such