

want of sufficient Distress to be found, the Offender to suffer Ten Days Imprisonment for every Cask so found defective, provided the said Imprisonment do not, in the whole, exceed the Term of *Three Months*.

*That* the Grand Jury for the County of *Halifax*, summoned to appear and serve at the Supreme Court, to be held on the last Tuesday in *October*, in and for this Province, shall annually at their said Meeting, and before the Rising of the said Court, nominate and appoint fit Persons to serve in the Town and Suburbs of *Halifax*, and Places thereto adjacent, as Gaugers of Casks, Cullers and Surveyors of dry and pickled Fish, Boards, Staves, Shingles, Clapboards, Hoops and Cord-Wood; and shall report to the said Court the Names of the several Persons by them so nominated and appointed for the Service aforesaid, that they may be sworn by the said Court to the due Execution of their several Offices, which, if any so nominated and appointed shall refuse, he shall pay the Sum of *Forty Shillings*, and another shall be nominated and appointed in like Manner in his stead.

*Provided always*, That if it shall happen that any one of the Officers so nominated and appointed as aforesaid, should happen to die or misbehave, or depart the Province during the Interval of the Sitting of the said Court, that then another fit Person shall and may be nominated and appointed in his Stead by his Excellency the Governor, Lieutenant Governor or Commander in chief of the said Province for the Time being; such Officer so appointed shall and may be sworn to the due Execution of his Office, before any one of His Majesty's Justices of the Peace, and shall and may continue in and execute such Office, until another shall be appointed by the Grand Jury, at their next Meeting before the said Supreme Court, any thing herein contained to the contrary notwithstanding.

*That* the Grand Jury to be summoned to appear and serve at the Supreme Court, to be held on the last Tuesday of this present Month of *October*, shall and may, and they are hereby empowered to nominate and appoint the several Officers to be appointed for the Year ensuing, to put this Act in Execution, and such Officers shall and may be sworn by the said Court, to the due execution of their several Offices.

*That* the Justices of the Peace, at their general Quarter-Sessions of the Peace, to be holden in and for the Town and County of *Halifax* in the said Province, shall yearly, or as often as there shall be Occasion by Means of Death, Misconduct, or Removal out of the Province, in any other Town or Place in the said Province needful thereof, nominate and appoint a fit Person or Persons to serve in such Town or Place as Gaugers of Cask, Cullers and Surveyors of dry and pickled Fish, Boards, Staves, Shingles, Clapboards, Hoops and Cord-Wood, and such Person so nominated and appointed shall and may be sworn to the due Execution of his Office, before any one of His Majesty's Justices of the Peace; and if any Person shall refuse to serve in the said Office, to which he shall be so nominated and appointed, he shall pay the Sum of *Forty Shillings*, and another shall be appointed in like manner in his Stead.