

agreed upon by buyer and seller, may be exported, if otherwise agreeable to law, and surveyor may pass the same.

provided the same are in all other respects agreeable to law, if such length shall be agreed upon both by the buyer and seller of such boards and plank, and the surveyor may pass the same —any thing in the said recited act to the contrary notwithstanding.

No boards, plank or lumber of any kind shall be marked at the mill or any other place but by a sworn surveyor, and if any other person mark, he shall forfeit 10/ for every thousand so marked, to be recovered before any one Justice of the Peace, one half to the informer, the other to the use of the poor of the parish.

IV. *And be it further enacted*, That no boards, plank or lumber of any kind shall have the contents marked thereon at the mill where the same shall be sawed, or at any other place, unless the same shall be so marked by a surveyor regularly appointed and sworn for that purpose. And if any person other than such sworn surveyor as aforesaid, shall presume to mark the contents of any boards, plank or other lumber, he shall upon conviction thereof before any one of his Majesty's Justices of the peace, upon the oath of one or more credible witnesses or witnesses, forfeit and pay the sum of *ten shillings* for every thousand feet of lumber of any kind so marked; to be levied by warrant of distress, and sale of the offenders goods, rendering the overplus if any after deducting costs and charges to the offender; one half of the said forfeiture to the use of the poor of the town or parish where such offence shall be committed, the other half to him or them who shall inform and sue for the same.

Purchasers of boards, plank, &c. may have an account of the contents from the surveyor without having them marked.

V. *And be it further enacted*, That if the purchasers of any boards, plank or other lumber, shall choose to take an account of the contents thereof from the surveyor, who shall survey the same as aforesaid, without having such contents marked upon the said lumber, such surveyor shall omit to mark the same, and shall give such account of the contents thereof if he shall be thereunto required by the purchaser thereof as aforesaid, any thing in the said recited act to the contrary thereof in any wise notwithstanding.

When boards or plank are marked, the whole contents must be marked & any allowance to be made, deducted from the amount.

VI. *And be it further enacted*, That when any boards or plank shall be marked by any sworn Surveyor as aforesaid, the whole contents thereof shall be so marked, and any allowance for splits or any other cause, shall be deducted from the amount of such contents so marked.

Surveyors for surveying boards, plank, scantling, &c. shall have 8d.

VII. *And be it further enacted*, That every such surveyor as aforesaid, who shall survey any boards, plank, scantling or ranging timber, not exceeding ten inches square, shall receive therefor