

fifty pounds with two sufficient sureties, and shall be sworn to the diligent and faithful discharge of their trust, and continue in said office till other proper persons be appointed in their stead.

VIII. *And be it further enacted*, That all fines or forfeitures arising by force or virtue of this act, shall be one half to him or them who shall sue for the same, and the other half for the benefit of the county where such fraud shall be committed. And if the same shall not exceed twenty shillings, it shall be recoverable before any one of his Majesty's justices of the peace, or where the same is more than twenty shillings and does not exceed three pounds, before any two of his Majesty's said justices, on the oath of one credible witness, by warrant of distress and sale of the offender's goods and chattels, under the hand and seal of said justice or justices, and for want of sufficient distress such offender to suffer not less than twenty nor more than sixty days imprisonment. And in case such fine or the value thereof shall exceed three pounds, the same may be recovered by him or them who shall sue for the same in any of his Majesty's courts of record in this province.

Forfeitures how recovered.

IX. *Provided always*, That all prosecutions by force of this act shall be commenced within six months after the time such offence was committed.

Prosecutions to be commenced within six Months.

X. *And be it further enacted*, That this act shall be read and published once every year at the opening of the first general quarter sessions of the peace for the several counties within this province.

To be read every year at the opening of the Sessions.

CAPIT.

An ACT to prevent FRAUDS in the SALE of DAMAGED GOODS imported into this province.

WHEREAS goods imported here, and insured in Great-Britain and elsewhere, are sometimes sold in this city or other port within this province for the account of the insurers; wherefore to prevent frauds in such sales.

Preamble.

I. *Be it enacted by the Governor, Council and Assembly*, That all damaged goods hereafter to be sold for account of the insurers shall be surveyed by the master, or one or more of the wardens of the port of Saint John for the time being, or other port within this province, at or upon the first unlading thereof, or as soon thereafter as the same are discovered to be damaged, which said master or wardens are to determine if the same has been properly

Damaged goods sold on account of insurers, to be surveyed by the master or warden of the port.