

same by bill, plaint or information, before any one of his majesty's justices of the peace in the county where the owner of such dog or bitch dwells.

*And be it further enacted by the authority aforesaid,*

[SECT. 2.] That the owner of any dog or bitch that shall do any damage or misch[e]i[e]f upon any calves or neet cattle, sheep or lambs, shall be liable to pay treble damages to the person or persons injured, to be heard and tryed before any of his majesty's justices of the peace in the county where the owner of such misch[e]i[e]vous dog or bitch dwells, if the damage exceeds not forty shillings; and where the damage exceeds that sum, before any of his majesty's courts of record in such county where the owner dwells as aforesaid, upon bill, plaint, writ or information brought as aforesaid.

Owners of dogs to pay treble damages for mischief done by them.

*And whereas,* there are considerable number of Indians living in the counties of Nantucket and Dukes County who keep unruly and misch[e]i[e]vous dogs, as well as the English inhabitants dwelling there, whereby great spoil and damage have been done by such dogs' worrying, wounding and killing of the neet cattle, calves, sheep and lambs,—

Preamble.

*Be it therefore enacted by the authority aforesaid,*

[SECT. 3.] That it shall and may be lawful[1] for any person or persons within the counties of Nantucket[t] and Dukes County to kill any dog or bitch, whatsoever, that shall at any time after publication of this act be found in either of said counties.

Dogs wholly disallowed in Dukes County and Nantucket.

*And be it further enacted,*

[SECT. 4.] That no action shall l[i]e, be heard or tryed at any court within this province, against such person that shall or may kill or destroy any dog or bitch found as aforesaid, but shall be utterly barred by vertue of this act.

[SECT. 5.] This act to continue and be in force for the term of five years from the publication thereof, and from thence to the end of the next session of the general court and no longer. [*Passed July 2; published July 7.*]

Limitation.

## CHAPTER 11.

AN ACT FOR MAKING TWO THOUSAND SIX HUNDRED TWENTY-FIVE POUNDS IN SMALL BILLS OF SEVERAL DENOMINATIONS, TO BE EXCHANGED FOR LARGER BILLS BY THE PROVINCE TREASURER.

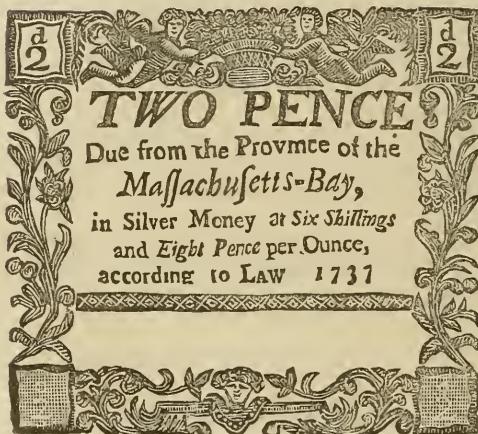
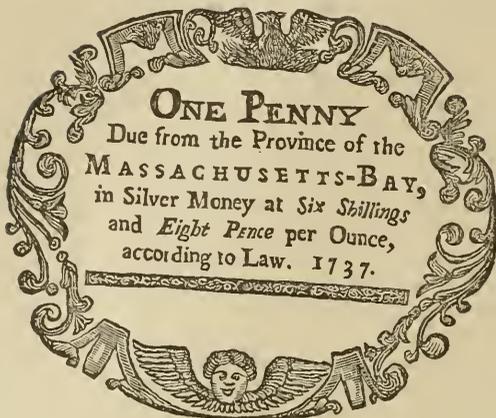
WHEREAS great inconvenienc[ies] and difficulties have arisen to the affairs and trade of this province for want of small money for change; for remedy whereof,—

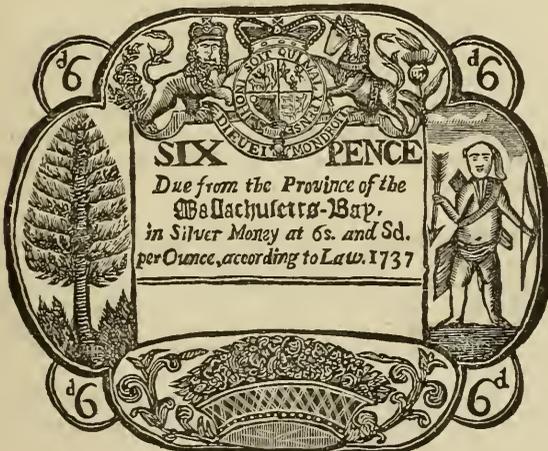
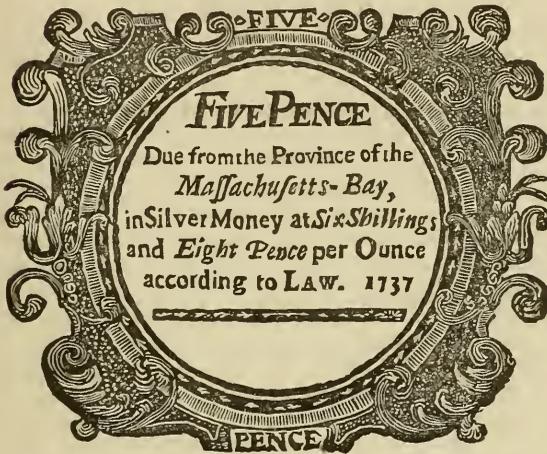
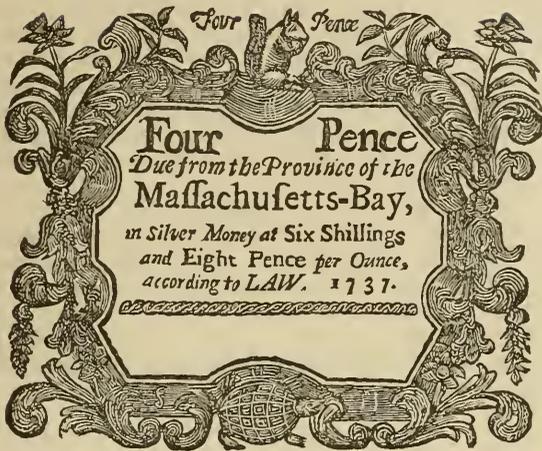
Preamble.

*Be it enacted by His Excellency the Governour, Council and Representatives in General Court assembled, and by the authority of the same,*

[SECT. 1.] That the committee already appointed by this court for the making of bills of credit of the new tenor, be and hereby are directed to take effectual care, that there be forthwith made and imprinted on good paper, to the amount of two thousand six hundred and twenty-five pounds, in pennys, twopences, threepences, fourpences, fivepences and sixpences of each denomination, thirty thousand bills of the following figures and inscriptions:—

Small bills to be exchanged and to pass as the new bills.





which bills, when made, said committee are to deliver to the treasurer of the province, by him to be exchanged for other bills of this province to such persons as come for the same, but not less than twenty shillings at one time; and that the said bills shall pass in all payments as other the bills of this province of the new tenour do according to law, and that the bills received by the treasurer in lieu of the aforesaid small bills, shall be burnt to ashes by a committee of this court appointed for that purpose.

*And be it further enacted by the authority aforesaid,*

Penalty for forging them.

[SECT. 2.] That whosoever shall presume to forge, counterfeit or utter any bill or bills, knowing the same to be false and counterfeit, of the figures or inscriptions of those mentioned in this act, or anyways in imitation thereof, or that shall counsel[1], advise, procure, or anyways assist, in forging, counterfeiting, imprinting or stamping of[*f*] any such false bills, every person or persons so offending, being thereof convicted, shall be punished as in case of forgery. [*Passed July 2.*]

## CHAPTER 12.

### AN ACT TO PREVENT DECEIT IN THE GAGE OF CASKS.

Preamble.  
1730-31, chap. 5.

WHEREAS his majesty's good subjects within this province are greatly damaged in the make and measure of their cask, and particularly those of rum and mol[*a*][*o*]sses, inasmuch as the hogsheads and other cask, which ought to answer the gage by the rod; have been proved, and upon trial in their drawing off, there hath been wanting seven or eight gallons, and sometimes more, in a hogshead; which persons are obliged to pay for more than they really receive; for remedy whereof,—

*Be it enacted by His Excellency the Governour, Council and Representatives in General Court assembled, and by the authority of the same.*

Rum and molasses to be gauged mathematically.

[SECT. 1.] That all rum and molasses in cask[*s*] of all sorts, from a barrel and upwards, that shall be exposed to sale, be mathematically gaged by Gunter scale, and the quantity said cask can contain, being full, to be set[*t*] and marked on one head by the gager with a marking-iron; and the said gager shall demand and receive of the owner or owners of such rum or mol[*a*][*o*]sses sixpence for every cask by him gaged as aforesaid, and no more.

*And be it further enacted by the authority aforesaid,*

General sessions to choose gaugers.

[SECT. 2.] That the justices of the peace, at their first general sessions in each respective county of this province, from the publication of this act, and afterwards yearly, shall in every town where there shall be occasion, chuse and appoint a fit person or persons to be a gager or gagers, who shall be sworn to the due execution of their office by one of his majesty's justices of the peace within the same county, in the words following; vizt.,—

Gauger's oath.

You, A. B., being appointed a gager, according to law, do swear that you will, from time to time, diligently and faithfully discharge and execute the office of a gager within the limits whereto you are appointed, for the ensuing year and until[1] another be chosen and sworn in your place; and that by and in all the particulars mentioned in the law whereto your office hath relation, [*and*] you will do therein impartially without fear or favour. So help you God.

Penalty for selling without being gauged, &c.

[SECT. 3.] And every person or persons who shall presume to sell any rum or molasses without being gaged as this act directs, and having the gager's mark upon it, shall forfeit and pay for every cask by him