

CHAPTER 29.

AN ACT TO ENABLE JUSTICES OF THE PEACE AND TOWN CLERKS TO ADMINISTER AN OATH TO SEALERS OF WEIGHTS AND MEASURES, &c[&], AND TO ESTABLISH THEIR FEES.

WHEREAS by law it is provided that sealers of weights and measures when chosen shall be presented to the court of general sessions of the peace to be sworn, which by reason of the distance of many towns in this province from any such court, often occasions great delay and unnecessary trouble; for preventing of which for the future,—

Preamble. 1692-93, chap. 30, § 1.

Be it enacted by the Governour, Council and House of Representatives,

[SECT. 1.] That from and after the publication of this act, it shall and may be lawful [1] for any one of his majesty's justices of the peace in the respective counties to administer an oath to any sealer of weights and measures that may be chosen (as by law already provided) in any town within the county where such justice lives, or the town clerk in such towns where no justice dwells, and such sealer so chosen and sworn shall be deemed legally qualified for his trust.

Justices of peace and town clerks to administer the oath to sealers of weights and measures.

And whereas, in the late law for establishing fees, no provision is made for such offices, and by the alteration of the value of money the former fees are become unequal,—

Be it enacted,

[SECT. 2.] That for the future the fees for the first sealing any weight, measure, scale or beam shall be one penny halfpenny, and for each after-sealing any such weight, measure, scale or beam, one penny, which the sealer may demand and take, and no more; any law, usage or custom to the contrary notwithstanding. [Passed March 5; published March 17, 1743-44.]

Fees for sealers fixed.

NOTES.—There were four sessions of the General Court this year. The second session was held, by adjournment, September 8, and continued ten days. No proclamation of prorogation, during this year, has been discovered, although Mr. Secretary Willard certified that the second session was prorogued to October 20; and it clearly appears that the General Court sat again from February 8, to March 22, 1743-44. The fourth session was adjourned to April 4, 1744. On the next day it was adjourned to April 18, and again, on that day, to April 24, and was dissolved April 28.

The engrossments of all the acts of this year are preserved, except of chapters 18 and 26; and all were printed with the sessions acts, except chapters 8 and 9.

Chapter 7 was transmitted to the Lords of Trade, by Governor Shirley, in July of this year; chapter 17 was forwarded, in like manner, on the 7th of November following, and chapter 14 a week later. The action of the Home Government upon those acts will be found in the notes to the respective chapters, post.

With the exception of chapter 7, no trace has been found of the reception of the acts of the first session. The acts of the last three sessions were regularly certified to the Lords of Trade, by Secretary Willard, August 9, 1744, and were received October 26, and read on the 14th of November following. They were referred to Mr. Fane for his opinion, in point of law, but, excepting chapters 14 and 17, have not been traced further in the records of the Lords of Trade or of the Privy Council.

The approval of these last-named acts was certified to Governor Shirley by the Lords of Trade in a letter bearing date August 9, 1744.

Chap. 7. "Wednesday, October 26th, 1743. [Present] Col. Bladen, Mr. Plumer, Mr. Keene.

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Recd<sup>d</sup> another letter from M<sup>r</sup> Shirley dated at Boston July 1743, transmitting an Act to explain the Act to ascertain the value of money & of the bills of Credit passed in June last and containing his reasons for passing it."—Trade-papers, vol. 45, p. 108, in Public-Record Office.  
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An Act in addition to and in explanation of sundry Clauses of an Act entitled an Act to ascertain the value of Money and of the Bills of Publick Credit of this Province &c

To which Acts I have no objection, as they entirely relate to the affairs of this Province and seem intended for the well ordering & governing the same. I am, My Lord,

Your Lordships most obed<sup>t</sup> Serv<sup>t</sup>.

FRAN. FANE."

4 Febr. 1743.

—Mass. Bay, B. T., vol. 71, F. f. 18, in Public-Record Office.