

to such real workers or makers of such goods, wares or manufactures, only from carrying abroad, exposing to sale or selling by retail or otherwise, any of the said goods, wares or manufactures of his, her or their own making, in any parts of this Province, nor any Tinkers, Coopers, Glaziers, Harness menders or any other persons usually trading in mending kettles, tubs, household goods or harness whatsoever, from going about and carrying with him, her or them, proper materials for mending the same without having a Licence as aforesaid; Provided also, that this Act shall not be construed to extend to prohibit hucksters, or persons having stalls or stands, in the Markets in the Towns within this Province, from selling or exposing to sale without having a Licence as aforesaid, any fish, fruits, victuals or goods, wares and merchandizes, in such stalls or stands, they complying with such rules and regulations of Police, as by the Justices in their General Quarter Sessions of the Peace, are or may be established in such Towns, respecting such stalls and stands.

X. *And be it further enacted by the authority aforesaid,* That nothing in this Act, shall be construed to permit any person or persons whatsoever, to sell any wine, brandy, rum or other spirituous liquors, without first having taken out a Licence for the sale thereof, agreeable to the Laws of this Province.

Licence under this act not to preclude the necessity of taking out licences for selling of brandy, &c.

XI. *Provided always, and be it further enacted by the Authority aforesaid,* That no suit or action shall be brought or commenced against any person or persons, for any penalty by this Act imposed, that shall not be brought or commenced within twelve months after the offence or offences, respectively committed.

Suits to recover penalties under this Act to be commenced within 12 months after the offence committed.

XII. *And be it further enacted by the Authority aforesaid,* That if any person or persons shall be summoned as a witness or witnesses, to give evidence before any Justice of the Peace, touching any of the matters relative to this Act, and shall neglect or refuse to appear at the time and place for that purpose appointed, without reasonable excuse for such neglect or refusal, to be allowed of by the said Justices, or on appearing, shall refuse to be examined on Oath, and to give evidence before such Justices of the Peace, before whom the prosecution shall be depending, that then, every such person shall forfeit for every such offence the sum of ten pounds current money aforesaid, with costs to be levied, recovered, and paid in such manner and by such means as are herein before directed, and for want of sufficient distress, the offender or offenders, shall be sent by such Justices of the Peace, to the nearest Gaol for such time, not exceeding two months, nor less than one month, as such Justices of the Peace shall think they merit.

Penalty for refusing to appear or to be examined as a witness

XIII. *And be it further enacted by the Authority aforesaid,* That the moiety of every pecuniary penalty or satisfaction by this Act imposed, shall belong to his Majesty, his heirs and successors, and shall also be paid by the person or persons respectively receiving the same, into the hands of the Receiver General, to and for the uses of his Majesty, his heirs and successors, for the public uses of this Province, and towards the support of the Government thereof, to be accounted for to his Majesty through the Lords Commissioners

Distribution of the penalties recovered.