

If any Rum &c. be removed or shipped on Board any Ship or Vessel by such Contractor, &c. without Permit obtained from said Collectors, or Rum &c. after issued to any of his Majesty's Ships or Artificers in the Careening Yard, or shall be brought on Shore or out of the Walls of said Yard and offer'd for Sale, said Rum, &c. to be taken into Custody and condemned; and all Persons offering said Rum for Sale or who shall aid or assist to forfeit £.100. each.

All Causes on Breach of this Act, may commence by Bill, Pleint &c. in his Majesty's Supreme or Inferior Courts; Defendants in such Suits may plead general Issue, may have a Special Jury to try said Issues, in Case Verdict shall be found against Defendant or Claimant they shall pay all taxed Costs. Any Person whose Testimony may be necessary for either Party on Trial &c. Judges may take Depositions *de bene esse*. Notice being first given to the Adverse Party, Deposition to be sealed up and used as Evidence. All Fines &c. recovered one half to be for the Province and remainder for the Prosecutor after deduction of Expenses Prosecution to be in 12 Months from Time of Offence committed.

No Stockholder shall be a Retailer or shall sell a Quantity less than 3 Gallons, under a Penalty of £.20. without first obtaining

IX. *And be it further Enacted*, That if any Rum or other distilled Spirits shall be removed from Place to Place, or shipped on Board of any Ship or Vessel by such Contractor or his or her Agent or Store-keeper without Permit first obtained from the said Collectors, or if any Rum or other distilled Spirits after it has been issued to any of his Majesty's Ships or Artificers in his Majesty's Careening Yard, shall be brought on Shore again or brought without the Wall of said Yard, and Sold or offered for the Consumption of any Person or Persons whatsoever, within this Province, the whole of such Rum or other distilled Spirits shall be taken into Custody, condemned and distributed in Manner herein after mentioned; and all Persons concerned in selling or offering any of said Rum or other distilled Spirits as aforesaid; or who shall be aiding or assisting or privy thereto, shall forfeit and pay each the Sum of One Hundred Pounds for each and every Offence to be levied and distributed in Manner herein after mentioned.

X. *And be it further Enacted*, That all Causes on Trials for Forfeitures and Penalties on a Breach of this Act or any Part thereof, shall and may commence by Bill, Pleint or Information in his Majesty's Supreme Court or Inferior Courts of Common Pleas within this Province, and his Defendant or Defendants in such Suits may plead the general Issue, and may on Motion have a Special Jury according to the usual Practice of said Court; to try said Issue or Issues; and in Case the Jury shall find a Verdict against the Defendant or Claimant, he or they shall pay all Costs to be taxed, and in Case that any Person or Persons whose Testimony may be necessary to be used for either Party on Trial, shall or are obliged to leave the Province, it shall and may be lawful for the Depositions of such Witnesses to be taken *de bene esse* before one of the Judges of said Superior or Inferior Courts for any Part of this Province; Notice being first given to the Adverse Party, and such Depositions shall be sealed up by such Judge, and used and admitted as evidence to the Jury on such Trial; and the Money arising from all Penalties and Forfeitures adjudged under this Law, after Deducting any extraordinary Expenses of Prosecution not taxed against the Defendant, shall go and be applied one Half to his Majesty for the Use of this Province, and the other Half to him who shall seize or inform and sue for the same, and all Prosecutions in Pursuance of this Act shall be commenced within Twelve Months from the Time of the Offence committed.

XI. *And be it further Enacted*, That no Stockholder of Rum, White, Porter, Ale, Beer or Molasses, or distilled Spirituous Liquors, within this Province shall be a Retailer thereof, or shall sell or vend a less Quantity of such Liquors than three Gallons under a Penalty of Twenty Pounds for each and every Offence, to be recovered and applied as aforesaid, without such Stockholder first obtaining a Shop or Tavern Licence,