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At the GENERAL-ASSEMBLY of the Province of *Nova-Scotia*, begun and holden at *Halifax*, on Wednesday the *First* Day of *July* 1761, in the *First* Year of His Majesty's Reign, and there continued by several Prorogations until wednesday the *19th* Day of *October*, 1763, in the *third* Year of His Majesty's Reign.

1763



An Act in Addition to, and Amendment of an Act, intituled, *An Act for the appointing Commissioners of Sewers, made and pass'd in the 34th Year of His late Majesty's Reign.*



HERE AS it has been represented, that the Commissioners of Sewers appointed by an Act, intituled, *An Act for the appointing Commissioners of Sewers, made and pass'd in the 34th Year of His late Majesty's Reign*, are not sufficiently impow'ed by the said Act to recover from the several Persons neglecting or refusing to make Payment of his, her, or their Parts, or Proportions of the Sums set, and assessed by the said Commissioners, for the repairing or making the Dykes and Drains, necessary for the Preservation of the Lands thereby rendered profitable.

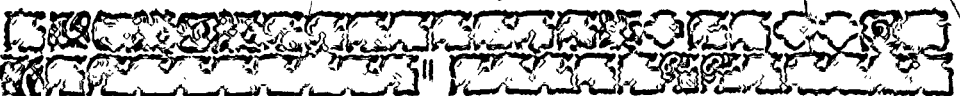
Cap.

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Be it therefore enacted, by the Lieutenant Governor, Council, and Assembly, That upon Complaint being made on Oath, before any one of His Majesty's Justices of the Peace for the County, where such Complaint lies, by the Collector or Collectors appointed by the Commissioners of Sewers, for the Collecting or gathering the Assessments made by the said Commissioners, the said Justice upon such Complaint, is hereby Impowered and authorized, to grant a Warrant under his Hand and Seal directed to any one of the Constables for the said County, to Levy off and from the goods and Chattels of such Person or Persons so neglecting or refusing to pay his, her, or their Part, or Proportion of such Assessment, by Distress and Sale of the said Goods and Chattels, the full Sum so assessed with Costs for prosecuting the same, which Costs shall not exceed the Sum of Five Shillings, and for want of Goods and Chattels, to apprehend the Bodies of all such delinquents, and Commit them to safe Custody, till full Satisfaction and Payment be made as aforesaid.

And be it further enacted, That if any Proprietor or Proprietors of the Lands so dyked in, or drained, are absent, and no Person appearing in their Behalf, and have not any Goods or Chattels to answer his, her, or their Dividend or Proportion of such Assessment, made as aforesaid, it shall and may be Lawful for any one of his Majesty's Justices of the Peace for the County, where such Lands lie, to let out any Part of such Delinquents Lands, that may be Sufficient to pay by the Produce of the same, any such Dividend or Proportion of the Sum so due.

Published according to Law, the 28th Day of November 1763.



*An ACT to prevent Nuisances, by Hedges, Weirs, and other Incumbrances, Obstructing the Passage of Fish in the Rivers in this Province.*

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HEREAS the erecting or setting up Hedges, Weirs, Fish-garths or other Incumbrances, or placing Seines across any River to stop, obstruct, or straiten the natural Course and Passage of Fish in their Seasons for spawning, must be very detrimental, and may entirely destroy the Salmon, Bas, Shad, Ailwive, and Gaspero Fishery; which the new Settlers in general depend on, in a great Measure for their Subsistence; Therefore in order to preserve that Valuable Support to the Inhabitants of this Province,

Be it enacted, by the Lieutenant Governor, Council, and Assembly, That

That the Justices in their *First General Quarter Session* held in each County, annually, shall and are hereby impowered and directed to make Rules and Orders for the Regulation of the River Fishery in their respective Counties, as they from time to time shall find necessary for the Preservation thereof.

*And it is hereby enacted,* That if any Person or Persons shall presume to erect or set up any *Hedge, Weir, Fishgarth,* or other *Incumbrance,* or Place any *Seine* or *Leines* across any River in this Province, contrary to the Rules and Regulations so fixed on, and established by the Justices in their said *General Quarter Session, Annually,* such Person or Persons shall, upon due Conviction thereof, forfeit and pay the Sum of *ten Pounds,* one half of which shall be for the Informer, and the other half for the Poor of the Townships, where the Offence shall be committed, to be recovered by Action, Bill, Plaint, or Information in any of His Majesty's Courts of Record,

This Act to continue, and be in force for the Space of *two Years,* from the Publication hereof, and until the End of the Session then next following.

Published according to Law, the 28th Day of *November 1763.*



*An Act in Addition to an Act intituled, an Act for altering and amending several Acts of this Province Relating to the Duties of Excise, on Wines, Rum, and other distilled Spirituous Liquors, sold within this Province.*

HEREAS by the above-mentioned Act, intituled, *an Act for altering and amending several Acts of this Province, Relating to the Duties of Excise on Wines, Rum, and other distilled Spirituous Liquors, sold within this Province,* made and passed in the *third Year* of His Majesty's Reign, it is enacted " That no Merchant or Distiller of Spirituous Liquors, or other Person whatsoever ( without Licence first obtained ) shall Retail any Rum, or other distilled Spirituous Liquors, in less Quantity Cap.

“Quantity than *five Gallons*, to be delivered at one and the same Time, and that the Merchant, Distiller, or any other Person whatsoever, shall preserve upon file the Duplicates of all such Permits for the inspection of the Collector or Receiver, or Collectors or Receivers, or either of them, whenever thereto required, under the Penalty and Forfeiture of *ten Pounds* for each and every Offence, and that the Quantity contained in the said Permits upon file in the Custody of the said Merchant, Distiller, or other Person whatsoever, shall as far as they go, be sufficient to discharge him or them, of so much Stock, as he or they shall have to bought, received or distilled as aforesaid.

*are.*

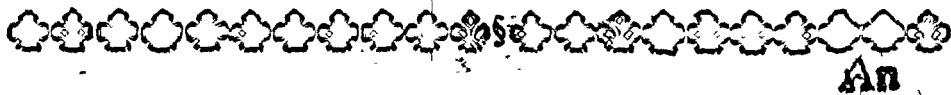
*And whereas there [is] no precise Periods appointed by the said Act, for settling the Stock accounts with the Merchants or other Persons, who enter Stock with the Collectors or Receivers in obedience to the said Act, and that no Provision is thereby made for obliging the Persons who have Stock, to pay an Excise on what may be found deficient upon Ballancing the said Stock Accounts.*

*Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That all Persons entering Stock as aforesaid, with the Collector or Receiver, or Collectors or Receivers of the Duties, shall at the end of each Quarter, Ballance, and settle their Stock Accounts, with the said Collectors at their Office.*

*And be it further enacted, That the Publick Sworn Gaugers, shall have Power to gauge the Whole of the Stock in the Cellars or Store-houses, of all Persons entering such Stock, previous to the Ballancing and settling the said Stock Accounts at the End of each Quarter, and the Certificate of the said Gaugers of the Quantity in Store unfold with the Permits, that have been filed according to Law, shall serve as Vouchers for the Settlement of all such Stock Accounts,*

*And be it also further enacted, That all Merchants or other Persons entering Stock as aforesaid, shall Account with and pay to the Collector or Receiver or Collectors or Receivers aforesaid, or either of them, the Duty of Excise appointed by Law for whatever Quantity of Excisable Liquors shall be found deficient at the time of making such Settlements, and that under the Penalty of *ten Pounds* for each and every Offence, to be sued for, Recovered, and applied in the like manner as the other Penalties are recoverable, and applied by the Act aforesaid recited.*

Published according to Law the 28th Day of November 1763.





## An Act For Laying a Duty on Billiard Tables, and Shuffle Boards.

**I**N Order to prevent the increase of Billiard Tables, and Shuffle Boards within this Province; We do hereby Grant unto His Most Excellent Majesty, His Heirs, and Successors, the Duty herein after mention'd, to be apply'd towards defraying the Expences of Opening, and Repairing the Roads within this Province.

Be it therefore Enacted, By the Lieutenant Governour, Council, and Assembly, that after Ten Days from the Publication of this Act, no Person or Persons shall presume to set up, or keep any Billiard Table, or Shuffle Board within this Province; unless a Licence for that Purpose be first obtain'd from the Governour, Lieutenant Governour, or Commander in Chief for the Time being; which Licence shall be Renewed from Year to Year.

And be it further Enacted, That every Person Licenced as aforesaid, to keep a Billiard Table, or Shuffle Board, shall pay into the Hands of the Clerk of the Licences, the Sum of Ten Pounds per Annum, to be Collected and paid in Quarterly, Three Months in Advance; and if they shall Refuse or Neglect to pay the same as aforesaid, within Fourteen Days after the said Quarterly Payment shall become due, upon Complaint thereof by the Clerk of the Licences, to any Two of His Majesty's Justices of the Peace, the same shall be levied by Warrant of Distress and Sale of the Delinquents Goods and Chattels.

And be it also further enacted, That if any Person shall Presume to set up or keep any Billiard Table, or Shuffle Board as aforesaid, without having first obtain'd a Licence for that Purpose, such Person shall forfeit, and Pay the Sum of Twenty Pounds, to be recovered by Bill, Plaint, or Information, upon the Oath of One Credible Witness, in any of His Majesty's Courts of Record within this Province; One Moiety to be for the use of His Majesty, to be apply'd for the Purposes aforesaid, and the other Moiety to the Informer, or Prosecutor thereof.

And be it Enacted, That this Act shall continue and remain in full Force, for and during the space of Two Years, from and after the Publication hereof; and until the End of the First Session of the General Assembly, then next following.

Cap. A.  
Comp.  
24. Nov. 1762  
25. Nov. 1762  
Continued  
6. Dec. 1762



An Act to Enable Proprietors of Lands, to Assess and Discharge the Expence, which has Accrued upon Dividing their Lands, by Virtue of a Former Law of this Province.

Cap. 5.

*HEREAS* by an Act of this Province, Intitled, *An Act to enable Proprietors to divide their Lands, held in Common and Undivided*, Sundry Proprietors of Lands within this Province, have proceeded to a Division under the Sanction of the aforesaid Act, which has since been Repealed; and whereas Considerable Expence has attended the making such Division.

*Be it Enacted, by the Lieutenant Governor, Council, and Assembly, That all Persons, Proprietors of Lands within this Province, who by Virtue of an Act, Intitled, An Act to Enable Proprietors to Divide their Lands, held in Common and Undivided, have heretofore by a Majority of the Proprietors, agreed upon, and divided their Lands, under the Sanction, and agreeable to the Directions of the said recited Act, each and every such Proprietor, shall pay their dividend or proportional Part of all such Expence, as may have arisen from the making such Division.*

*And be it further Enacted, That all Accounts of Expences Incurr'd for the Services aforesaid, shall before Payment, be laid before the Justices of the Peace for each County, in their Quarter Sessions; who are hereby Impowered to appoint proper Persons, to audit said Accounts, and to make a dividend to each Right or Share of Land in such Propriety, in just and equal Proportion; which dividend or Proportion, when approved of by the said Court of Quarter Sessions, shall be paid by each Proprietor or Person in possession of such Lands, to the Person or Persons to be appointed by the Propriety to receive the same; and if any Proprietor or other Person in possession of any Right, or Share of Land, divided as aforesaid, shall Refuse or Neglect to pay His, Her, or their respective Dividend, or Proportion, as aforesaid, it shall and may be Lawful, on Complaint of such Receiver appointed as aforesaid, for any one of His Majesty's Justices of the Peace, to issue a Warrant of Distring and Sale of the Delinquents Goods and Chattels, for the Recovery of the same, with the Charges of Prosecution.*

*And be it further Enacted, That if any proprietors of Lands, divided as aforesaid, be absent, and no Person appearing in their Behalf, or shall be present*

present, and that not any Goods or Chattels, to answer His, Her, or their dividend, or Proportion of Expences as aforesaid, it shall and may be lawful, for any one of His Majesty's Justices of the Peace, residing in the Township where such Lands lie, to let out any Part of such Delinquents Land, that may be sufficient to pay, by the produce of the same, any such Dividend or Proportion then due.

*Provided always,* That if any Person or Persons, shall think themselves aggrieved by any Justice of the Peace, concerning the letting their Lands as aforesaid, such Person or Persons may complain to the Justices of the County in their *Quarter Sessions*, who are hereby empowered to hear, and determine all such Complaints.

*Published according to Law, the 28th Day of November 1763.*

An Act For suppressing unlicensed Houses, and for Granting to His Majesty a duty on Persons hereafter to be Licensed.

*Cap. 6.  
Temp.  
2 Year 1763  
1st Ann.*

**B**E it enacted, by the Lieutenant Governor, Council, and Assembly, That from and after the publication hereof, if any Person or Persons whatsoever, within this Province, either by themselves, or their Wives, or any of their Children, or known or reputed Servants, or substitutes under them, directly or indirectly, in any House, Shop, Warehouse, storehouse, or other place whatsoever, belonging to the Father or Mother of such Child or Children, or to the known or reputed Master or Mistress of such Servant or substitute, shall Sell, Barter or Exchange, or deliver upon Credit, any *Rum, Brandy, Wine, Ale, Cyder, Perry, or other strong Liquors*, mixt or unmixt, by whatsoever Name or Names, they are or may be called or distinguished, without Licence first had and obtained for that purpose, in manner and form as herein after directed; whether such Wife, Child, Children, Servant, or Substitute so sold, Bartered or Exchanged, or delivered the same, or not, by the Commandment of such Father, Mother, Matter, or Mistress; or shall Hawk, Sell, or expose to Sale, Barter or Exchange, or deliver upon Credit, any such Liquors, mixt or unmixt, by whatever Name or Names they are or may be called or distinguished, about the Streets, Wharves, Highways, Lanes, or Suburbs of the Town of *Halifax*, or any Town or Place whatsoever within this Province, in any manner whatsoever, or upon the Water, in any Ship, Boat, or Vessel, or in any other manner whatsoever; or shall deliver upon Credit, or Sell, or Barter, or Exchange, or Expose the same to sale on any



any Bulk or Bulks, Stall or Stalls, or in any Shed or Sheds, or on, or in any other place or places, the Father or Mother of such Child or Children, the reputed Master, or Mistress of such Servants or Substitutes shall forfeit for every Offence the Sum of *Ten Pounds* Currency of this Province; and it shall and may be lawful for any one Justice of the Peace within this Province, on his own View, or on Confession of the Party, or by Proof on the Oath of one credible Witness, to convict any Person or Persons so offending, and the Person or Persons so convicted, shall immediately on such and every other like Conviction, pay the Sum of *Ten Pounds*, into the Hands of such Justice; and on such Offender or Offenders refusing or neglecting to pay the said Sum, together with the Charges of Prosecution, it shall and may be lawful for such Justice, to issue a Warrant under his Hand and Seal, for the levying the same by Distress and Sale of the Offenders Goods and Chattels; and if no sufficient Distress can be found, then the said Justice shall by Warrant under his Hand and Seal, commit the offender or offenders to His Majesty's Goal, within the County where the offence shall be committed, there to remain in close Confinement for the space of *Three Months*; or until He, or She, shall have fully paid and satisfied the said Fine and Charges as aforesaid.

*And be it further enacted*, That any Person having Licence, to sell any *Spirituous Liquors, Wine, Ale, Beer, Cyder, or Perry*, shall within *Ten Days* after obtaining such Licence, hang out a Sign or Inscription, with their Names thereon; setting forth, that *Spirituous Liquors* are there to be sold by Licence, on pain of Forfeiting *Five Pounds*, for each and every such Neglect.

*And be it also further enacted*, That if any <sup>Person or</sup> Persons, not having obtain'd Licence therefor, shall presume to hang out, or suffer to remain, any Sign or any Inscription whatsoever, importing, that *Rum*, or other distilled *Spirituous Liquors, Wine, Ale, Beer, Cyder, or Perry*, are there sold, otherwise than by whole sale; upon proof thereof in manner and form herein described, such Person shall be subject, and Liable to the like Penalties and forfeitures as Persons convicted of selling *Spirituous Liquors* without Licence.

*And be it enacted*, That if any Person, <sup>or Persons</sup> either by themselves, or their *Wives*, or any of their Children or known or Reputed Servants or Substitutes under them, directly or indirectly, shall presume to sell any *Rum, Brandy, Wine, Ale, Cyder, Perry, or other strong Liquors*, mixt or unmixt, by whatsoever Name or Names, they are or may be called or distinguished, by virtue of, or under pretence of Licence obtain'd, as in this Act is directed, in any other place than at the House or place where such Person or Persons themselves shall, *Bona fide*, actually and constantly reside and dwell, upon conviction thereof, such Person or Persons shall be subject and liable to the like pains and penalties, as Persons convicted of selling *Spirituos Liquors* without Licence, and the same shall and may be Prosecuted for, paid, levied, and dispos'd of in like manner as is directed by this Act.

*Provided*

*Provided always,* That it shall be in the Power of the Governour, Lieutenant Governour, or Commander in Chief for the time being, to grant Licences Gratis, as an encouragement to any Person or Persons keeping Houses of Entertainment on the Public Roads, for the Accommodation of Travellers.

*Provided,* That nothing in this Act contain'd shall extend, or be construed to extend, to prevent or debar any Merchant, Shopkeeper, or other Person not Licenced to Retail Rum or other distilled *Spirituous Liquors, Wine, Ale, Beer, Cyder or Perry,* from selling any Quantity of such Liquors, not less than Five Gallons, delivered at one and the same time.

*And be it Enacted,* That from and after the Publication of this Act, the Clerk of the Licences, shall be, and is hereby impowered and required, to make diligent Enquiry After, and prosecute any Person or Persons, who shall presume to retail any kind of *Spirituous Liquors,* contrary to the Intent and meaning of this Act, or that shall offend in any of the particulars therein contain'd.

*And Whereas* the opening a Communication through the Province by making High Ways, Roads and Bridges, and keeping the same in Repair, are highly necessary; *We do therefore Grant unto His Most Excellent Majesty, His Heirs, and Successors, the Duties hereafter Specified, for the purposes herein mention'd.*

*Be it therefore enacted,* That from and after the *First Day of January,* which will be in the Year of Our Lord, *One Thousand Seven Hundred and Sixtyfour,* there shall be paid by every Person, who shall have Licence to Retail *Wine, Beer, Ale, Cyder or Perry, Rum,* or other distilled *Spirituous Liquors* within the Peninsula of *Halifax,* the old districts of *Annapolis-Royal,* and *Fort Cumberland* to the Clerk of the Licences, over and above his customary Fees, for making out Licences and taking Bonds, the Sum of *Eight Pounds per annum,* to be paid quarterly, *Three Months* in Advance; and that there shall be paid by every Person, who shall obtain Licence in every other Town and Place within the Province, *Five Pounds per Annum,* to be paid quarterly and in Advance as aforesaid.

*And,* for the better securing the Payment of the Duties imposed by this Act, *Be it enacted,* That no Person shall be intitled to receive a Licence as aforesaid, without first giving Bond with one sufficient surety to the acceptance of the Clerk of the Licences, in the sum of *Twenty Pounds,* That he, she, or they, shall well and truly Comply with, and yield Obedience to the Laws of this Province already made, or to be hereafter made, in relation to Persons Licenced to sell Liquors; and shall keep and maintain good order in the said Tavern or House of Public Entertainment; and shall not suffer the using any unlawfull Games therein; and shall duly pay into the Hands of the Clerk of the Licences, his, her, or their quarterly Payment, within *Ten Days* after such Payment shall become due, as aforesaid.

*And be it further enacted,* That all the Monies arising from the conviction of any Person or Persons for the Breach of any part of this Act, shall after deducting the charges of Prosecution, be paid by the Justice before whom the same shall be recovered, two third parts to the Person or Persons who shall inform and sue for the same, and the remaining One Third part to the Clerk of the Licences, and to be by him accounted for at the Treasury, with the Duties he receives in virtue of this Act.

*And be it enacted,* That when an Information shall be made against any Person or Persons offending against this Act, and any Person or Persons shall be Summoned to give Evidence relative thereto, and that such Person or Persons so summoned, shall Neglect, or Refuse, to give his, or her Attendance at the time and place mentioned in the Summons, not having any just or reasonable cause therefor, to be allowed of by the Justice before whom such Information shall be made; or wilfully withdraw himself, or herself before sworn; or shall wilfully refuse to be sworn, shall refuse to give his, or her Evidence; in every such case the Party so offending shall forfeit and pay the sum of *Five Pounds*, to be levied by Warrant of distress and sale, from the said Justice, on the offenders Costs and Charges, and to be applied to the use of the Poor of the Town, where such offence shall be committed, and to be paid by such Justice to the Overseers of the Poor of the said Town; and for want of such distress, such Person or Persons shall be committed to Goal, there to remain for the space of *One Month*, or until the said sum of *Five Pounds* shall be paid.

*Provided nevertheless,* That no Person shall be obliged to give Evidence, on any Information, before such Person be paid or secured their reasonable Charges for Attendance, to be allowed of, and Ordered by such Justice.

*And be it further enacted,* That the Money arising from the Duties to be paid by every Retailer of *Wines, Beer, Rum or other distilled Spirituous Liquors*, on their obtaining a Licence for that purpose, and also the Fines incurred by this Act, shall be forthwith paid by the Clerk of the Licences, after deducting *five per Cent* for his Trouble, into the Hands of the Treasurer of the Province; which Money is hereby appropriated to, and for the making, opening and repairing the publick Roads through the Province; and that such making, opening and repairing, shall be under the direction of the Governor, Lieutenant Governor, or Commander in Chief of this Province.

*And be it also further enacted,* That all Licences granted by virtue of this Act, shall not continue, or be in Force for a longer Time, than *One Year* after their dates respectively; and any Person or Persons, who shall continue to sell for a longer Time without taking out a new Licence, such Person or Persons, shall be deemed as selling without Licence, and shall forfeit and pay the sum of *Ten Pounds*, for each offence, to be sued for and recovered as herein before directed, and to be appropriated as aforesaid.

*And be it enacted*, That a'l Licences granted before the Publication of this Act, sh<sup>al</sup>l continue and be in force until the *Thirty First Day of December* next, and no longer; and the Person or Persons who shall neglect to pay due obedience to this Act, and continue to sell without taking out new Licences and giving Bond, as herein directed, shall forfeit and pay the sum of *Ten Pounds*, for each and every offence, to be recovered and appropriated as herein before directed.

*And be it further enacted*, That when any Person or Persons Licensed, shall Neglect, or Refuse, to pay to the Clerk of the Licenses the Money due by him, or them, in virtue of this or any former Act, the same may be recovered upon complaint of the said Clerk, by Bill, Plaint, or Information in any of His Majesty's Courts of Record in this Province, if above the sum of *Three Pounds*, or before any Two of His Majesty's Justices of the Peace, if the sum be under *Three Pounds*.

*And be it enacted*, That this Act shall continue and be in Force for *Two Years* from and after the *First Day of January One Thousand Seven Hundred and Sixty Four*; and until the End of the Session of the *General Assembly* then next following.

*Published according to Law, the 28th Day of November 1763.*

An Act for reviving an Act, made and pass'd in the *Thirty Third Year* of His late Majesty's Reign, Intituled *an Act, for further Prolonging a Resolution of the Governor and Council, revived and put in Force by the General Assembly, in the Thirty Second Year* of His Majesty's Reign.

**W**HEREAS the Resolution, or Act of the Governor, and Council, intitled *an Act*, That foreign Debts should not be pleadable in this Province, unless for Goods imported into the Province; made the *Second Day of February, One Thousand Seven Hundred and Forty Nine*; and amended and continued by a Resolution, or Act, made the *Fourteenth Day January, One Thousand Seven hundred and Fifty One*; was confirm'd, and continued for *Two Years*

Cap. 7  
Temp.  
Three Year

Years, from and after the Second of *October*, *One Thousand Seven Hundred and Fifty Eight*, and untill the End of the Session of the General Assembly then next following ; *By an Act*, made and pass'd in the *Thirty Second Year* of His late Majesty's Reign, intitl'd, *an Act, for reviving and putting in full Force, several resolutions or Acts of His Majesty's Governors and Council of this Province heretofore made*, and further prolonged for *One Year*, from and after the Second of *October*, *One Thousand Seven Hundred and Sixty*, and untill the End of the Session of the General Assembly, then next following ; *By an Act* made and pass'd in the *Thirty third Year* of His late Majesty's Reign ; intitl'd, *an Act for further prolonging a resolution of the Governor and Council, received and put in Force by the General Assembly, in the Thirty Second Year of His Majesty's Reign*. Which Acts did expire with the said next Session of the General Assembly, ending the *Twenty Eighth Day of August*, *One Thousand Seven Hundred and Sixty Two*.

*And whereas it appears*, That the said Acts, have been beneficial to the Colony, as numbers of unfortunate honest Persons, who under the Encouragement of the Protection afforded them, by the said Acts, did repair to the Province, have become usefull Members of the Community, and by their Industry, have been enabled to discharge their former Obligations to their Creditors, some of them fully and others in part, with a prospect of compleating the same, by the Continuation of the said protection ; and whereas in the said Acts effectual Care is taken that no fraudulent Persons can receive benefit therefrom, or the Province become thereby an Asylum for dishonest People,

*Be it therefore enacted by the Lieutenant Governor, Council and Assembly*, That the before recited Resolutions of the Governor and Council, and Acts of the General Assembly confirming and prolonging the same, shall be and are hereby revived, and shall be in full force, from the Day of the Publication hereof, in favour only of those Persons, their Goods, Chartels, and Estates, who have come into this Province, and have been under the Protection and Sanction of the aforesaid Laws, before the said *Twenty Eighth Day of August One Thousand Seven Hundred and Sixty Two*, and shall continue for and during the term and space of *Three Years*, and from thence to the end of the Session of the General Assembly, then next following.

*Published according to Law, the 28th Day of November 1763.*





# An Act for Granting to His Majesty a Duty of Impost, on Loaf Sugar, Bricks, and Lumber.

Cap. 8.  
Temp.  
Two Years of  
Publication  
Time of Pub.  
omitted.

WHEREAS the several Acts, for laying Duties of Impost and Excise, on Wines, Beer, Rum, and other distilled Spirituous Liquors, have been found insufficient to answer the purposes thereof intended.

We do hereby Grant, unto His Most Excellent Majesty, His Heirs, and Successors, for the uses herein after mentioned, the Several Rates, Duties, and Imposts, following.

Be it therefore enacted, By the Lieutenant, Governor, Council, and Assembly, That from and after the Publication of this Act, there shall be paid by the Importer, [C] upon all Loaf Sugar, and Bricks, imported into this Province; (except the produce and manufacture of Great-Britain, and legally, and directly imported from thence) and upon all Boards, Shingles, and Clap Boards, imported from any of the Colonies into the Port of Halifax, the several Rates and Duties hereafter mentioned, viz.

For every Pound of Loaf Sugar Imported into this Province, *One Penny.*

For every Thousand of Bricks so Imported, *Five Shillings.*

For every Thousand Feet of Boards Imported into the Port of Halifax, *Five Shillings.*

For every Thousand Shingles so Imported, *One Shilling and Three Pence.*

For every Thousand Clapboards so Imported, *Five Shillings.*

And be it enacted, That all the Rates, Duties and Imposts before-mentioned, shall be paid by the Importers of all Loaf Sugar, Bricks, Boards, Shingles, and Clap-Boards imported as aforesaid, unto the Collector or Receiver, or Collectors or Receivers, of the Duties for the Time being, at or before the Landing thereof, Provided the Sum do not exceed *Five Pounds*, but if the Sum shall exceed *Five Pounds*, the Collector or Receiver or Collectors or Receivers aforesaid, is and are hereby authorized, on sufficient Security being given, to give credit for Payment thereof within the term of *Three Months*.

Be it also enacted, That all Masters of Ships, Coasting and Fishing Vessels, and all other Vessels whatsoever, coming into any Harbour or Port within this Province, shall before breaking bulk and within *Twenty Four Hours* after his, or their arrival, make Report in writing and upon Oath to the Collector or Receiver, or Collectors or Receivers of said Duties, of all such Loaf Sugar, Boards, Shingles, Clap-Boards, and Bricks, on board said Ship or Vessel, and that he or they have not Landed, sold, delivered, bartered, or exchanged

exchanged, any Loaf Sugar, Boards, Shingles, Clap-Boards, or Bricks, at any Port or Place within this Province, or on the Coasts thereof, since his or their Sailing from the Port or Place, where the same was laden on board the said Ship or Vessel for Exportation; which oath the Collector or Receiver, or Collectors or Receivers aforesaid, are hereby impower'd to Administer.

*And be it also further enacted* That if any Loaf Sugar, Boards, Shingles, Clapboards, or Bricks, shall be landed, or proved to have been landed, from on board such Ship or Vessel, after such Report made as aforesaid, other than such as shall have been contained and specified in the said Report, then and in such case, all such Loaf Sugar, Boards, Shingles, Clap-Boards, and Bricks, shall be and are hereby declared forfeited, and shall and may be Seized by the Collector or Receiver, or Collectors or Receivers aforesaid; and if any such Loaf Sugar, Boards, Shingles, Clap-Boards, and Bricks, shall be concealed, whereby Seizure cannot be made of the same, the Master of such Vessel, the Owners or Receivers, shall pay the Value thereof to be Estimated at the highest Price, such commodity will bear at that time.

*And be it enacted,* That if the Master of any Ship or Vessel, shall Refuse or Neglect to yield strict Obedience to the Directions prescribed by this Act; in either such Cases, he shall on Conviction thereof by the Oath of one credible Witness, forfeit and pay the Sum of *Fifty Pounds*.

*And be it also enacted,* That if any Person or Persons whatsoever, shall knowingly be aiding or assisting in the clandestine landing, or concealing, any Loaf Sugar, Boards, Shingles, Clap-Boards, or Bricks, in order to avoid payment of the Duties, to which the same are liable by Law, such Person or Persons shall upon conviction thereof, upon the Oath of one credible Witness, forfeit and pay the sum of *thirty Pounds*, or suffer *six Months* Imprisonment, without *Bail* or *Mainprize*.

*And be it also further enacted,* That no Loaf Sugar, Boards, Shingles, Clap-Boards, or Bricks, that by this Act are liable to pay Duty, shall be landed on any Wharf, or put into any Warehouse, or other place, but in the Day Time only, and that after sun rise, and before sun set, and in the presence of the Collector or Receiver, or Collectors or Receivers aforesaid, or either of them, or of One of the Land Waiters, on Pain of forfeiting all such Loaf Sugar, and Bricks, Boards, Shingles, and Clap-Boards.

*And be it enacted,* That the Master of any Ship or Vessel, importing any Loaf Sugar, Boards, Shingles, Clap-Boards, or Bricks as aforesaid, shall be liable to pay the Duty for so much thereof as is contained in his Report, not duly entered nor the Duty paid for, by the Person or Persons to whom such Loaf Sugar, Boards, Shingles, Clap-Boards, and Bricks, are or shall be consigned; and it shall and may be lawfull to and for any Master, of any Ship or Vessel to detain in his Hands, or deliver to the Collector or Receiver, or Collectors or Receivers aforesaid, for the Security of such duty, all such Loaf Sugar, Boards, Shingles, Clap-Boards and Bricks, as are not duly Entered, which said Collector or Receiver, or Collectors

or Receivers or either of them, are hereby directed and impow'ed to receive and keep the same, at the Owners risque, until the Duties thereof with the Charges be paid.

*And be it also enacted,* That the Collector or Receiver, or Collectors or Receivers of the aforesaid Duties, shall be and are hereby impow'ed to make Seizure of any Ship or Vessel, wherein, or from which, such Loaf Sugar, Boards, Shingles Clapboards, or Bricks, shall be imported, or shall have been sold, delivered, bartered, or exchange'd, contrary to the Intent and meaning of this Act, or the Master whereof shall neglect, or refuse to make due entry of the whole Quantity of such Loaf Sugar, Boards, Shingles, Clapboards, and Bricks, imported in such Ship or Vessel, or who shall neglect or refuse to yield strict Obedience to the Directions thereof, and to detain such Ship or Vessel, until Judgment be given in any process to be commenced and Prosecuted as herein after directed, for any of the aforesaid Forfeitures or Penalties, to the intent, that if Judgment be rendered for the Prosecutor or Informer, such Ship or Vessel with her Tackle, Apparel, and Furniture, or any part thereof, may be exposed to Sale by Order of the Court, for Satisfaction thereof, and the Surplus Money, if any be, to be paid to the Owner or Master of such Ship or Vessel.

*And be it also further enacted,* That from and after the Publication hereof, there shall be allowed on all Loaf Sugar, Boards, Shingles, Clapboards, and Bricks, which shall have been imported into this Province, (and for which the Duties herein specified, shall have been paid or secured to be paid) upon the same being exported out of the Province, a Drawback of the whole Duty so paid, or secured to be paid: Provided always, that the Exporters shall be subject and liable, to observe and follow the rules prescribed by an Act of this Province, made and passed in the *Third Year* of His Majesty's Reign, Intituled an Act for altering and amending several Acts of this Province, relating to the Duties of Impost on Wines, Beer, Rum, and other Distilled Spirituous Liquers: touching the Exportation of the same, and the return of certificates from the Place, where such Sugar, Boards, Shingles, Clapboards, and Bricks, may be exported; and shall be subject to the same Penalties, for fraudulently relanding the same.

*And be it enacted,* That the Collector or Receiver, or Collectors or Receivers of the aforesaid Duties, shall render a just Account, and pay into the Hands of the Treasurer of the Province, all such Monies by him or them received in Pursuance of this Act, within *Thirty Days* after the End of each Quarter.

*And be it also enacted,* That all the Penalties and Forfeitures accruing, or arising by this Act, shall and may be recovered by Bill, Plaint, or Information, in any of His Majesty's Courts of Record in this Province, and the Money arising from such Penalties and Forfeitures, after Deducting the Expences of Prosecution and all incident Charges, shall be one half to His Majesty, for the Uses and Intents for which the Duties are

Granted



Granted, and the other half to him or them, who shall Seize, inform and sue for the same.

*And be it also further enacted,* That all Monies arising from the duties imposed by this Act shall be, and are hereby appropriated for paying Bounties and Premiums, and other Debts due by the Laws of this Province.

*And be it enacted,* That this Act shall continue and remain in force for the term and Space of *Two Years*, from and after the Publication hereof, and until the End of the Session of the General Assembly then next following.

An Act to empower the Province Treasurer, to borrow a Sum not exceeding the Sum of *Four Thousand Pounds*, for paying off Bounties, Premiums, and other Debts, payable by the Laws of this Province.

19. *HEREAS* the Impost and Excise Duties, have hitherto been insufficient for the discharge of the Debts due for Bounties, Premiums, and other Debts payable by the Laws of this Province; and whereas there are many Persons who now are possessed of Certificates for Bounties, Premiums, and other Accounts, which are due and become payable, but from the present State of the Province Funds, cannot be immediately discharged.

*Be it enacted by the Lieutenant Governour, Council, and Assembly,* That the Treasurer of the Province, be and is hereby empowered and directed, to borrow from such Person or Persons, as shall be willing to Lend the same, a Sum not exceeding *Four Thousand Pounds*, and the Sum so borrowed, shall be applied in manner as in this Act is hereafter directed, and for any Sum or Sums so borrowed, the Treasurer aforesaid shall give his Receipt or Obligation in the form following.

Province NOVA-SCOTIA, the

Day of 1766

**R** Eceiv'd of \_\_\_\_\_ the Sum of \_\_\_\_\_  
 for the use and Service of the Province of Nova-Scotia, and in Behalf of  
 said Province, I do hereby Promise and oblige myself, and Successors in the  
 Office of Treasurer, to repay the said \_\_\_\_\_ or Order, the \_\_\_\_\_ Day of  
 the aforesaid Sum of \_\_\_\_\_ with Interest  
 at the Rate of Six Pounds per Centum per Annum. Witness my Hand.

And be it further enacted, That all Receipts so issued by the Treasurer of the Province, shall according to the Tenor thereof, bear an Interest at the Rate of Six Pounds per Centum per Annum, and so in Proportion for a greater or a lesser Sum, and the Treasurer is hereby directed not to borrow, or give his Receipt for any Sum less than Five Pounds; and be it also further enacted, That the Sum so borrow'd, shall be applied to the Payment and Discharge of the Bounty Certificates and Premiums which are or shall become due and payable on or before the Twenty Fifth Day of March, One Thousand seven Hundred and sixty Four; and for all other Debts, which became due and payable by the Laws of this Province on or before the Twenty fifth Day of March, One Thousand seven Hundred and sixty Three.

Provided, That the Accounts and Vouchers of all such separate Debts, shall be first Regularly audited, and certified to be justly due.

Provided also, That if the Province Treasurer should (by a Scarcity of Money) not be able to borrow the Sum intended by this Act, that then and in such case, any Person or Persons, who shall present Bounty Bills or Accounts of Money due from the Government, properly authenticated, said Notes or Accounts may be received by the Treasurer, who is hereby Directed to give his Receipt for the said Sum, bearing Interest in manner herein directed.

And provided always, and be it further enacted, That if there should not be Money sufficient in the Treasury, to discharge the several Receipts so issued, when the same become payable; that then and in such case the Treasurer is hereby authorized, and directed, to pay off the Interest, as the same becomes annually due, out of such Monies as may then be in his Hands arising from the Duties of Impost and Excise.

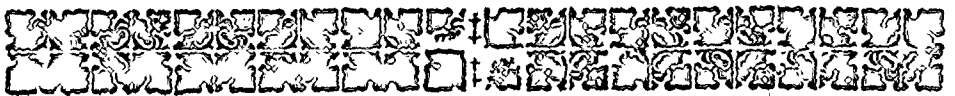
And whereas the Act, intituled, an Act to enable the Governor, Lieutenant Governor, or Commander in Chief, to borrow the Sum of Four Thousand Five Hundred Pounds, for paying off the publick Debts, and to postpone the Payment of Bounties and Premiums, has been found insufficient to discharge the whole of the Bounties and Premiums, that were to have been discharged with the Money borrow'd by the said Act, as sundry of the said Bouny and Premium Certificates are still outstanding, and whereas it is reasonable, that such Certificates should bear Interest, as they could not then be paid,

*Be it therefore enacted,* That the Treasurer aforesaid, shall state and allow Interest at the Rate of *six Pounds per centum per Annum*, on all such outstanding Certificates, from the Date of the last Warrant, granted in Virtue of the said loan Act, for Cash or Certificates received in at the Treasury.

*And whereas several of the Principal Bounties and Premiums granted by the Laws of this Province, are now expired, and others near expiring; and whereas the several Duties granted to His Majesty by the Laws of this Province, for Payment of Bounties, Premiums, and other Accounts, will not expire before the End of the Year, One Thousand seven Hundred and seventy One, whereby the Treasury will be constantly supplied with considerable Sums of Money, much more than will be wanted for paying off the Interest of Money borrow'd.*

*Be it further enacted,* That all Monies, which may be collected by virtue of the several Laws of this Province, wherein the same is appropriated for the Payment of Bounties, Premiums, and other Accounts payable by the Laws of this Province, over and above what will pay the Interest of Money borrow'd by the Government, shall (after discharging the former Loan Creditors) be applied for paying off the Receipts given by the Treasurer for Monies borrow'd, or Bounty and Premium Certificates receiv'd by virtue of this Act.

*Published according to Law, the 28th Day of November 1763.*



## An Act for the Relief of Insolvent Debtors.

*Be it enacted by the Honourable the Lieutenant Governor, Council, and Assembly,* That from and after the End of this present Session, if any Person or Persons now Charged, or who shall, or may hereafter be charged in Execution for any Sum or Sums of Money, and shall be minded to Deliver up to his, her, or their Creditors, all his, her, or their Effects, towards the Satisfaction of the Debts, wherewith he, she, or they stand charged, it shall and may be lawfull to and for such Prisoner, to Exhibit a Petition to any of the Courts of Law within the said Province, or during the Intervals of the sitting of such Courts, to any two of the Justices of any such Courts, from whence the Process issued, upon which he, she, or they, was or were taken or charged in Execution, Certifying the cause or causes of his, her, or their Imprisonment, and an Account of his, her, or their whole Real or Personal Estate, with the Dates of the Securities wherein any Part of it consists, and the Deeds or Notes relating thereto, and the Names of the Witnesses thereto, as far as his, her, or their Knowledge extends therein, and upon such Petition the said Court or the said Two Justices may, and are hereby required by order or rule of the said Court, or by order under the Hands and Seals of the said Two Justices, to cause the

said

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said Prisoner to be brought up to the said Court, or before them the said Two Justices, and the several Creditors at whose Suit he, she, or they stand charged as aforesaid, to be Summoned to appear Personally, or by their Attorney in the said Court, or before them the said Two Justices at a Day to be appointed for that Purpose; and upon the Day of such Appearance, if any of the Creditors Summoned, Refuse, or Neglect to appear, upon Affidavit, of the due Service of such Rule or Order of the said Court, or Order of the said Two Justices, the said Court or the said Two Justices, shall, and may in a Summary Way, examine into the matter of such Petition, and hear what can or shall be alledged on either Side, for or against the discharge of such Prisoner, and upon such Examination the said Court or the said Two Justices may, and are hereby required, to Administer or Tender to the Prisoner an Oath to the Effect following, which Oath the said Court, or the said Two Justices are hereby impowered to Administer.

*I A. B. Do Solemnly Swear in the Presence of Almighty God, that the Account by me deliver'd into,*

*In my Petition is,*

*Doth contain a true and full Account of all my Real and Personal Estate, Debts, Credits, and Effects whatsoever, which I, or any in trust for Me, have, or at the Time of my said Petition had, or am or was in any Respect intitled to in Possession, remainder or Reversion, (except the Wearing Apparel and Bedding for me or my Family, and the Tools or Instruments of my Trade or Calling, not exceeding Ten Pounds in the whole) and that I have not at any Time since my Imprisonment or before, Directly or Indirectly, sold, Leased, Assigned or otherways disposed of, or made over in trust for my self, or otherwise, other than as mentioned in such Account, any Part of my Lands, Estate, Goods, Stock, Money, Debts, or other Real or Personal Estate, whereby to have or expect any Benefit or Profit to myself, or to Defraud any of my Creditors, to whom I am Indebted.*

**So Help me GOD.**

*And be it further Enacted, That in case the said Prisoner shall in open Court, or before the said Two Justices, take the said Oath, and upon such Examination and his or her, taking the said Oath, the Creditors shall be satisfied with the Truth thereof, the said Court or the said Two Justices may immediately Order the Lands, Goods, or Effects, contained in such Account, or so much of them as may be Sufficient to satisfy the Debts where-with he, or she, is or shall be charged, and the Fees due to the Provost Marshall of the said Province, and the Keeper of the Goal or Prison from which the Prisoner was brought, to be by a short Indorsment on the Back of the said Petition, Signed by the Prisoner, Assigned to the said Creditors, or to one or more of them, in Trust for the rest of the said Creditors, and by such Assignment, the Estate, Interest, and property of the Lands, Goods, Debts, and Effects so Assigned, shall be vested in the Person or Persons to whom such Assignment is or shall be made, who may take Possession of, or Sue for the same in his, her, or their own Name or Names in like Manner*

Manner as Assignees of Commissioners of Bankrupts, to which Suit no Release of the Prisoner, his, or her Executors, or Administrators, or any Trustees for him or her subsequent to such Assignment, shall be any Barr, and immediately upon such Assignment executed, the said Prisoner shall be Discharged out of Custody by Order of the said Court, or of the said Two Justices, and such Order shall be a sufficient Warrant to the Provost Marshall, Goaler, or Keeper of such Prison, to Discharge the said Prisoner, if detained for the Causes mentioned in such Petition and no other; and he is hereby required to Discharge and set him, or her at Liberty forthwith without Fees: Nor shall such Provost Marshall, or Goaler, be liable to any Action of Escape or other Suit or Information upon that Account, and the Person or Persons to whom the said Effects shall be Assigned, Paying the Fees to said Provost Marshall, Goaler or Keeper of the Prison, in whose Custody the Party discharged, was, shall and are hereby requir'd to divide the Effects so Assigned among themselves, and all the Persons for whom they shall be intrusted, in Proportion to their respective Debts: but in case the Person or Persons at whose Suit such Prisoner was charged in Execution, or any of them, shall not be satisfied with the Truth of the Oath of such Prisoner before the Two Justices aforesaid, and shall desire further Time to inform himself or herself of the Matters contained therein, and shall insist upon his, or her, being detained longer in Prison at his or their Suit, then the said Justices shall and may remand the said Prisoner, and direct the said Prisoner, and the Person or Persons Dissatisfied with such Oath, to appear before the Court whence the Process issued as aforesaid, at a certain Day during the Sitting of the said Court then next following such Examination, and to be by them at that Time appointed for the further Examination of the Matters contained in the said Oath; Provided the said Person or Persons Dissatisfied, do agree by Writing under his or their Hands, to supply and allow Weekly the full Quantity of *Eight Pounds* of good and wholesome Bisquit Bread per Week, unto the said Prisoner, to be so supplied and allowed the first Day of every Week, from and after the Time of such Prisoners being so remanded, until the said Day so appointed for the further Examination of the Truth of the Matters contained in the aforesaid Oath before the said Court as aforesaid; on Failure of the supplying of which Weekly Allowance at any Time, the said Prisoner shall forthwith upon Application to the said Court, or to the said Two Justices, be Discharged by such Order as aforesaid; but in case the said Prisoner shall Refuse to take the Oath before the said Two Justices, or having taken the same, shall be detected of Falsity therein, he, or she, shall be presently Remanded.

*And be it also enacted,* That such Judgment, Relief, and Directions by the said Two Justices, so to be given as aforesaid, shall be as good and Effectual to all Intents and Purposes, as if the same had been made in the Court out of which the Process issued, on which such Prisoner was taken in Execution, and the like Proceedings shall be had thereupon, and a Record of such Judgment shall be made up in the same Form, and returned, and certified under the Hands of such two Justices before whom it shall be made, unto the Court from whence the Process on which such Prisoner was taken in Execution Issued, to be a Record of the said Court, and to be kept as such amongst the Records there

*And be it further enacted,* That if on the Appearance of such Prisoner or Prisoners before the said Court as aforesaid, at such second Day so to be appointed by the said two Justices, the Creditor or Creditors of such Prisoner or Prisoners dissatisfied with the Truth of such Oath, before the said two Justices, shall make Default in appearing; or in Case he, she, or they shall appear, but shall be unable to discover any Estate or Effects of the Prisoner omitted in such his, or her Petition; or to shew any Probability of his, or her, having been foresworn in the said Oath, then the said Court shall immediately cause the said Prisoner to be discharged upon such Assignment of his or her Effects in Manner as aforesaid, unless such Creditor or Creditors do insist upon his, or her, being detained longer in Prison at their Suit, and do agree by Writing under his, her or their Hands, to supply and allow Weekly the full quantity of *Eight Pounds* of good wholesome Bisquit Bread per Week, unto the said Prisoner, to be supplied and allowed the first Day of every Week, so long as he, or she, shall continue in Prison at his, her, or their Suit as aforesaid; on Failure of the Supply of which Weekly Allowance at any Time, the Prisoner shall forthwith, upon Application to the said Court, or during the Interval of such Court sitting to the said two Justices, be Discharged by such Order as aforesaid.

*And be it enacted,* That in case on the Appearance of the said Prisoner, before any of the said Courts of Law in this Province, on his Petition to them at any Time during their sitting, preferred as aforesaid, the Person or Persons at whose Suit such Prisoner was charged in Execution, or any of them, shall not be satisfied with the Truth of the said Prisoners Oath, at that Time made, but shall desire further Time to inform himself or herself of the matters contained therein, the said Court may and shall remand the said Prisoner, and direct the said Prisoner, and the Person or Persons Dissatisfied with such Oath, to appear at another Day to be Appointed by the said Court sometime within and during their then present Session, for that Purpose; subject in the mean Time and untill such second Day, to the same Allowance to the said Prisoner, by such Person or Persons so Dissatisfied with the said Prisoners Oath, and liable to the like Discharge in case of Default of such Allowances as is herein before directed, upon Application to the said two Justices as aforesaid: And if at such second Day so to be Appointed, the Creditor or Creditors Dissatisfied with such Oath, shall make Default in appearing, or in case he, she, or they, shall appear but shall be unable to discover any Estate or Effects of the Prisoner omitted, in such his, or her Petition, or to shew any Probability of his, or her, having been foresworn in the said Oath, then the said Court shall immediately cause the said Prisoner to be discharged, upon such Assignment, of his, or her Effects in manner as aforesaid, unless such Creditor or Creditors do insist upon his, or her, being longer detained in Prison at their Suit, and do agree by Writing under his, her, or their Hands, to supply and allow Weekly the Quantity of *Eight Pounds*, of good and wholesome Bisquit Bread per Week, unto the said Prisoner, to be supplied and allowed the first Day of every Week, so long as he, or she, shall continue in Goal, at his, her, or their Suit; on Failure of the supplying of which Weekly Allowance,

lowance at any Time, the said Prisoner shall forthwith upon Application to the Court, or during the Interval of such Courts sitting, to any Two Justices of the said Court, be discharged by such Order as aforesaid; but in Case the said Prisoner shall refuse to take the said Oath, or having taken the same, shall be detected of Falstiy therein, he, or she, shall be presently remanded,

*And* to prevent Persons who may be charged in Execution from lying in Prison, until they have spent their Substance wherewith they should satisfy their Creditors, and afterwards taking the Benefit of this Act, where they have nothing left to deliver up to their Creditors; *it is hereby enacted*, that no Person charged or to be charged in Execution, excepting those already in Goal, shall be allowed or permitted to exhibit a Petition to any of the Courts of Law in this Province, or to any of the said Two Justices of such Courts, from whence the Process Issued as is before provided, unless such Petition be exhibited, if before the Court, within *Ten Days* next after the first meeting of the said Court which shall be next after such Person shall be so charged in Execution, and if before the said Two Justices within *Fourteen Days* next after such Person shall be charged in Execution: *Provided always*, That tho' the Persons of the Debtor or Debtors so discharged, shall never after be arrested for the same Debt or Debts, yet notwithstanding such discharge the Judgment against him, or her, shall stand and remain in force, and Execution may be taken out thereon against his, or her Lands Tenements or Hereditaments, Goods and Chattels, (his, or her, Wearing Apparel, Bedding for him, or herself and Family, and necessary Tools for the use of his, or her, Trade or Occupation Excepted, in the same manner as if he, or she, had never been taken in Execution) for the said Debt.

*Provided also*, That if any Person who shall take such Oath as aforesaid, before the said Two Justices, or before the said Court as aforesaid, shall upon any Indictment for Perjury, in any matter or Particular contained in the said Oath, be convicted by his, or her own confession, or by Verdict of Twelve Men, as he, or she, may be by force of this Act, the Person, so convicted, shall suffer all the Pains and Forfeitures which by Law may be inflicted on any Person convicted of wilful Perjury, and shall be liable to be taken upon any Process *De Novo*, and charged in Execution for the said Debt, in the same manner as if he, or she, had never been discharged or taken in Execution before, and shall never afterwards have the Benefit of this Act.

*Provided also*, That if the Effects so assigned, shall not extend to satisfy the whole Debts due to the Persons at whose Suit he, or she, was charged, and the Fees due to the said Provost Marshall or Goaler, there shall be an abatement in Proportion; and such Provost Marshall or Goaler shall come in as a Creditor, for what shall be then due to him for his Fees in Proportion with the Creditors at whose Suit he, or she, was charged in Execution.

And be it likewise enacted, That every Provost Marshall, or his Deputy, Bailiff, or other Officer or Minister aforesaid, offending against this Act, shall (over and above such Penalties or Punishments as he shall be liable unto, by the Law now in Force) for every offence against this present Act, forfeit and pay to the party thereby grieved, the Sum of Fifty Pounds, to be recovered with triple Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Law within this Province, wherein, no Effort Protection or Wager of Law, or more than One Imparcell shall be allowed.

And be it enacted, That in all Cases wherein by this Act an Oath is required, the solemn Affirmation of any Person being a Quaker, shall and may be accepted and taken in Lieu thereof, and every Person making such Affirmation who shall be Convicted of Willful and False Affirming, shall incur and suffer, such and the same Pains, Penalties and Forfeitures, as are inflicted and imposed by the Laws and Statutes now in Force, upon Persons Convicted of Willful and Corrupt Perjury.

Provided nevertheless, That Nothing in this Act contained, shall extend or be construed to extend, to Discharge any Debtor Imprisoned, the whole Amount of whose Debts, shall exceed the sum of One Hundred Pounds; nor that this Act shall be in force, till His Majesty's Pleasure be known therein.

Confirmed by His Majesty in Council.

Published according to Law the 28th Day of November 1763



An Act in Addition to an Act, intituled, *An Act for Regulating the Proceedings of the Courts of Judicature.*

Temp  
Journals from  
1763  
p. 11.  
It is repealed

It is enacted by the Lieutenant Governor, Council, and Assembly, That all Processes and Writs for the bringing any Suit into any of the Interior Courts of Common Pleas within this Province, shall issue out of the Clerks Office of the same Court where the cause is to be tried, in His Majesty's Name, under the Seal of the said Court, and shall be Signed by the said Clerk, and be directed to the Provost Marshal of this Province or his Deputy; and if such Process or Writ be against the Provost Marshal, then it shall be directed to the Coroner of the County, who is hereby empowered to execute the same; And all Writs as well Original as Judicial issuing out of the Clerk's Office as aforesaid, shall run through the said Province, and be executed by the Officer or Officers to whom they shall be directed;

Provided -



*Provided always, that were the Plaintiff and Defendant shall both reside in the same County, that then the Action shall Commence, and be Tied in the Inferior Court of that County.*

*And be it further enacted, That all Proecesses and Writs, as well Original as Judicial, issuing out of the Clerk's Office of the respective Courts, shall bear Teste of the Just Justice named in the Commission for holding the said Court; and upon any Vacancy by his Death, Removal or other Impedment, then of the Justice next named in the Commission for the Time being; and all proper Original Proecess in said Court shall be by Summons or Attachment, which shall be made returnable *Twelve Days* before the Sitting of the said Court, and shall always bear true Teste of the Time of issuing thereof, and shall be served and executed by the proper Officer, as before in this Act is prescribed, at least *Fifteen Days* before the Sitting of the Court, to which the same is returnable (except such Writs as are served in other Counties, or any other Part of the Province distant from the County wherein the cause is commenced, which may be returned at any Time during the Sitting of the Courts respectively,) and that the proper Original Summons or Attachment, and the Writ of Execution, in all Civil Actions, and the Writ of *Habere facias possessionem* in all Real Actions, between Party and Party, shall be in the Form as hath been heretofore used, and observed.*

*And be it further enacted, That the Plaintiff shall within Three Days after the Return of the Writ, File with the Clerk of the Court a Declaration clearly setting forth the Cause of Action against the Defendant or Defendants, and shall at the same Time annex to, or File with such Declaration, a Copy of the Bond and Condition thereof, Bill, Note, Contract, Agreement, Lease, Account or other Writing, on which such Action is grounded: And in case of Failure thereof, the Plaintiff shall pay *Ten Shillings* Costs, and he shall have Liberty, to File his Declaration and Copy of Accounts and Writings as aforesaid, on which his Action is Grounded, before the Day of the Sitting of said Court; and it shall be in the Power of the Court to give such further Time to the Defendant to plead as they in their Discretion shall judge necessary: And the Defendants Pleas if any, he or they have, either in Abatement to the Writ, or in Bar to the Action, or Demurrer to the Writ and Action, shall be Filed with the Clerk of said Court, at least *Four Days* before the Sitting of the said Court; and if he or they neglect to File the same, they shall not be allowed afterwards the Benefit of such Pleas, but at the Sitting of said Court shall plead over to the General Issue only; And if such Pleas shall be made within the Time aforesaid, the Plaintiffs Replication thereto, shall also be Filed with the Clerk of said Court, before the Day appointed for the Sitting of said Court. *Provided always that no dilatory Pleas be allowed to be Filed, unless Signed by the Parties to the Suit respectively, or by some Attorney of the Court.**

*And be it further enacted, That when it shall so happen, that any of the Witnesses which shall be judged necessary to be produced on the Trial*

of

of any Cause between Party and Party, (except for Trespass or Suits for uncertain Damages) shall be Inhabitants in another County, or live at a greater Distance than Thirty Miles from the Court, in which such Cause shall be Tried, any one of the Judges of the Court of Common Pleas for the County in which such Witness shall dwell, may take his Deposition in Writing; due Notice being first given to the adverse Party if within the County, or within Fifteen Miles of the Judge taking such Deposition, and such Deposition so taken and certified under the Hand and Seal of the said Judge, and Sealed up and directed to such Court, shall be received as legal Evidence in such Cause; *And whereas it may happen that the Parties to a Cause having mutual Accounts, may be at such Distance from the Court where the same is to be Tried, as may render it very inconvenient to produce his original Account Books, and convey them to such Distance; Be it also enacted, That such Accounts may also be proved on Oath, before any One of the Judges of the Court of Common Pleas, in the County where the Action is to be Tried, or before any one of the Judges of such Court in the County, where the Party may reside; the Account being first compared by the original Books and so certified.*

*And be it enacted, That no Person, who now is, or hereafter shall be a Freeholder and Inhabitant in this Province, and whose Freehold is free from Incumbrances, shall be Arrested, Imprisoned, or held to Bail, unless the Plaintiff in such Action shall make and subscribe an Affidavit in Writing, before a Judge of the Court, or the Clerk of the Court from whence such Writ shall issue, (who is hereby empowered to Administer the same) that the Defendant, is justly Indebted to the Plaintiff in the Sum of Ten Pounds or upwards, according to the present Rate of Currency in Halifax, which Affidavit shall be Filed in the Office of the said Clerk: and the Sum specified in such Affidavit, shall be indorsed on the Back of the said Writ in the following Form.*

*By Oath for £.*

*For which Sum is indorsed the Provost Marshal, or his Deputy, shall take Bail, and no more.*

*Provided always, That Nothing in this Act contained, shall prevent any Creditor from Arresting, or holding to Bail, or Attaching the Goods and Chattels, of any Transient Person, but such Person is, and shall be liable to an Attachment of the body, or Goods and Chattels, for any Sum whatsoever, on Affidavit being first made and Filed as aforesaid.*

*And be it further enacted, That if such Action, shall be brought by any agent Factor or Attorney, in the Name of his Principal, it absent, upon producing an Affidavit of such, the Debt of his principal duly authenticated according to, the Laws of England, or the usage and Practice of the Plantations in such Cases, or if such Principal be in any part of the Province remote from the Courts, upon producing an Affidavit taken as aforesaid, before a Justice of the Peace, and upon the said Affidavits being respectively Filed as aforesaid, then the said Judge, or Clerk of the said Court, shall indorse the Sum so Sworn to, and Bail shall be required accordingly.*

*And*

*And be it further enacted,* That when any Person or Persons shall be Arrested by Virtue of any Writ issuing out of the said *Inferior Courts*, the Provost Marshal or his Deputy, shall be obliged and are hereby respectively required, upon sufficient Bail being offered, to let such Defendant or Defendants go at large upon his, or her, or their, first executing a Bond with Two sufficient Sureties, to the said Provost-Marshal, with a Condition thereunder Written, for the personal Appearance only of the Defendant on the First Day of the Court, to which such Writ is returnable: And if such Defendant shall not appear accordingly, or if sufficient Bail to abide the Final event of the Suit shall not then be offered in behalf of the Defendant; Judgment shall thereupon be entered against the Defendant by Default, and the Provost-Marshal, shall then and there in Court upon the request of the Plaintiff or his Attorney, Assign the Bail Bond, by Indorsing his Name thereon for the Benefit of the Plaintiff, to be put in Suit or otherwise recover the Penalty thereof; which Assignment shall not debar the Plaintiff from proceeding to final Judgment, and Execution the same Court against the Defendant or Defendants in the said Action, as in Cases wherein Default is made. But whenever it shall happen that the Defendant or Defendants shall appear according to the Tenor of the Condition of the Bond, and there abide by the Order of Court, or give Bail to the Satisfaction of the Plaintiff, and Approbation of the Court, to abide by the final issue and determination of the Suit; or if the Defendant from some Impediment shall not happen to appear, but nevertheless two sufficient Persons to be approved of by the Plaintiff and Court, shall offer to become and give Bail in Manner aforesaid, in such case the Bail for Appearance only shall be discharged, and such Defendant or Defendants, shall be intitled to all the Priviledges of Law, and in no other Case whatsoever unless Consented to, and agreed upon in open Court, between the Plaintiff and Defendant, or their Attorneys in their behalf.

*And be it further enacted,* That whenever any Person shall be committed to Prison, by virtue of any Original Writ issuing out of any *Inferior Court* as aforesaid, the Provost Marshal or his Deputy, shall at the same Time serve such Prisoner or Prisoners with a true Copy of such Writ or Writs, together with the Indorsement thereon; and to the Plaintiff or his Attorney, on the Day after Filing the Declaration with the Account or Instrument in Writing, on which the Action is grounded, as in this Act prescribed, shall also serve such Defendant or Defendants with a true Copy of such Declaration, as Filed against them in the Clerk's Office, and that unless he Employes an Attorney to Plead thereto, according to the Rules herein Prescribed, Judgment will be entered against him by Default; the Service of which Notice shall be deemed Sufficient by leaving the same with the Keeper of the Prison or his Deputy, where such Defendant is Imprisoned; and upon Failure of delivering such Notice by the Keeper to such Prisoner, the said Keeper shall Forfeit and Pay all such Damages, as the Defendant may have sustained by such Neglect. And upon the *First Day* of the Court the Plaintiff's Attorney (if no Appearance of the Defendant) upon producing a Copy of such Notice and Affidavit of the due Service thereof as aforesaid; Judgment shall be entered by Default against such Defendant or Defendants in Prison. And in all Causes whatsoever (except Actions of Debt, or Actions grounded on Specialties or Account proved) now depending

pending or hereafter to be brought in the Courts, wherein the Defendants have or shall suffer Defaults, the said Courts are hereby empowered and required in Lieu of a Writ of Enquiry of Damages, to order a Jury to be sworn, to assess Damages at the Bar, for which the Jury shall be paid such Fees, as heretofore have been usual on Trials of Issues.

And be it further enacted, That all Writs of Summons hereafter to be issued, and all other original Writs, shall be indorted, either by the Plaintiff or his Attorney, who sues out the same, and the Defendant or Defendants therein Named, shall respectively be served with a true Copy of such Writ.

And be it further Enacted, That when any Person or Persons shall think himself aggrieved by any Judgment or Determination, in any of the said *Inferior Courts of Common Pleas*, wherein the Cause of Action exceeds the Sum of *Five Pounds*, or in any Cause where the Title of Lands may be in Question, he may appeal from such Sentence and Judgment to the Supreme Court held for this Province, for a Rehearing of his said Cause, either in matters of Law or Facts; *Provided*, That such Appellant enters his Appeal before the rising of the said *Inferior Court*, that the adverse Party may have Notice; and likewise enter into a Recognizance with the Appellee in any Sum, not less than *Twenty Pounds*, to prosecute his Appeal with Effect, and files the same with the Clerk of said Court within *Five Days* after the rising of said Court, otherwise Execution shall issue from the said Court according to their Judgment and Determination.

And be it further enacted, That the Form of Writs to be issued by the Justices of the Peace, for the Recovery of small Debts, shall be by Summons only, in the following Form.

County of

To the *Provest-Marshal* or his Deputy, *Greeting*.

*I*N His Majesty's Name you are hereby commanded to summon, A. B. of \_\_\_\_\_ if he may be found in your Precinct, to be and appear before His Majesty's Justices of the Peace for said County, at the Dwelling House of \_\_\_\_\_ on \_\_\_\_\_ Day, being the \_\_\_\_\_ Day of \_\_\_\_\_ at \_\_\_\_\_ of the Clock in the noon, then and there to answer to C. D. of \_\_\_\_\_ in a Plea To the Damage of the said C. D. as \_\_\_\_\_ says the Sum of \_\_\_\_\_ which he will then and there make appear; and do you make due return of this Summons, with your Doings thereon to \_\_\_\_\_ on or before said Day Witness Hand and Seal this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of His Majesty's Reign, Annoque Domini 17

A Copy of which shall be left with the Defendant at his last Place of Abode, at least Seven Days before the Trial,

*And*

And be it enacted, That all Writs of Execution issued by the said Justices, shall run against the Goods and Chattels, of the Defendant, and for want thereof to take the Body of the said Defendant

And be it enacted, That this Act, shall continue and be in Force for the Space of Two Years from the Publication thereof, and from thence to the End of the next Session of the General Assembly.

Published according to Law, the 28th Day of November 1763.



An Act in addition to an Act, made and passed, in the Thirty third Year of His late Majesty's Reign, Intituled, an Act for the Summary Trial of Actions.

1. 12.

Emp  
of  
Act

Be it enacted, That any one of the Justices of the Common Pleas within this Province, is hereby empowered in all Causes of Action brought before him, where the Debt does not exceed Ten Pounds to take the voluntary Confession of the Debtor, for the Sum demanded by the Creditor, as agreed between the Debtor and Creditor, and upon such Confession so made by the Debtor, and the Specialty, Contract or Account, on which the said Debt arose being Filed with said Justice, and a Record made of the same, that then said Justice by whom such Record is made, is hereby empowered, to grant Execution thereon, according to such Agreement upon the Oath of the Creditor, that the Debt is *Bonafide* due to him in the same manner, as if the said Action had been Tried in the *Inferior Court*; and that the whole Costs on such Confession and Record of the same, and Execution, shall not exceed *Five Shillings*, exclusive of the Provost Marshals Fees: And the Proceedings so had before the said Justice (where the Debt is *Three Pounds* and upwards) shall be Filed by him, with the Clerk of the *Inferior Court of Common Pleas*, of the County, where the Parties reside, that the same may be recorded therein, and the Clerks Fees for so doing shall not exceed *One Shilling*: And where the Debt is under *Three Pounds*, the Record thereof shall remain with the Justice before whom the Debt was confessed.

This Act to continue in Force for the Space of Two Years from the Publication thereof, and to the End of the Session of the General Assembly then next following.

Published according to Law, the 28th Day of November 1763.

An Act to enable the Inhabitants of the several Townships within this Province, to Maintain their Poor.

*Act enacted, By the Lieutenant Governor, Council, and Assembly.* That from and after the Publication hereof, it shall and may be lawful for the Freeholders of any Township within this Province, where there are Fifty or more Families Freeholders resident, to meet on the First Monday in January Annually: Previous Notice being given by the Constables of such Townships Respectively (who are hereby required to notify the same to the Freeholders of each Township, at least Ten Days before the Time of Meeting) of the Time and Place of Meeting in such Township, at which Meeting of the said Freeholders then and there held, a Chairman being first chosen, the Freeholders shall proceed to choose Twelve Inhabitants of the said Township, any Nine of which to be a Quorum; who are hereby Impowered to Assess the Inhabitants of said Township for such Sum, as shall be granted by the said Freeholders for the Relief of their Poor.

Cap. 13.

*And be it further enacted,* That the said Freeholders in such their Annual Meeting, shall be and are hereby Impowered to Vote such Sums of Money as they shall judge necessary for the current Year, to support and Maintain their Poor.

*And be it also further enacted,* That the Twelve Inhabitants so elected in the Meeting Annually, or any Nine of them, shall be, and are hereby Impowered to Assess the Freeholders, and other Inhabitants, in Just and equal Proportion as near as may be, for the Monies Voted as aforesaid; and each particular Person being Assessed according to his known Estate, either Real or Personal, for the Purpose aforesaid, shall pay the same to such Person or Persons as shall be appointed to Collect and Receive the same, by the said elected Inhabitants, or any Nine of them, and if any Person so Assessed, shall Refuse or Neglect to pay said Assessment, the same shall and may be levied by Warrant of Distress, from any One of His Majesty's Justices of the Peace of the Township, or County wherein such Person shall reside.

*Provided nevertheless,* That if any Person shall think himself over Rated, he may Appeal for Redress to the next General Sessions of the Peace of the said County, and the Justices thereof, are hereby required and Impower'd, to examine, hear, and determine, all and every such appeal or Complaint, and to give Redress, as they in their Judgment shall think equitable, and such their Order and Judgment, shall be Final and Bind all Parties.

*And be it enacted,* That the Person or Persons appointed to collect the Assessments aforesaid, shall once in Three Months, Account with and pay into the Hands of the Overseers of the Poor of said Township, all such Sums of Money as he or they may have received, and upon his or their Neglect

Neglect or Refusal, to account and pay in the same as aforesaid, such Person or Persons, shall and may be Prosecuted by the Overseers of the Poor for the Time being, by Bill, Complaint, or Information, in any of His Majesty's Courts of Record within this Province.

*And be it also enacted,* that the Overseers of the Poor of each Township respectively, shall dispose of the Monies voted and received for the Purpose beforemention'd, only, and they are hereby required and directed, to render an Account thereof to their Successors, and to pay into their Hands any Surplus of Money, that may remain in their Hands not distributed.

*And be it further enacted,* That if any of the Twelve Inhabitants chosen at the Annual Meeting as aforesaid, to make the Assessment aforesaid, or the Person or Persons appointed to Collect the same, shall Refuse to serve in their Respective Offices, each Person so refusing shall Forfeit and Pay to the Overseers of the Poor, for the use of the Poor of said Township the Sum of *Forty Shillings*.

Published according to Law, the 28th Day of November 1763.



An Act to explain and amend an Act, made and pass'd in the 32d Year of His Late Majesty's Reign, intituled, *an Act for making Lands and Tenements Liable to the Payment of Debts.*

Cap. 14. *HEREAS,* in the first Clause of an Act made and pass'd in the 32d Year of His late Majesty's Reign, intituled, an Act for making Lands and Tenements, liable to the Payment of Debts; It is among other Things enacted, *That the Person or Persons in Possession of any Lands and Tenements on which the Provest Marshal or his Deputy, shall extend the Execution, of any Judgment on the Rents only, and shall cause the Person or Persons, in Possession, whether Debtor or Debtors, or their Tenant or Tenants, to attorn and become Tenants to such Creditor or Creditors; and whereas many Doubts have arisen concerning such Debtor or Debtors, or Person in Possession, Refusing to attorn and become Tenants, and neglecting or Refusing to pay the Rents as the same become due.*

*Be it therefore enacted,* by the Lieutenant Governor, Council and Assembly, That every such Debtor or Debtors, or Persons in Possession of the Premises, on which Execution shall be extended, who shall Refuse to attorn as Tenants to the Creditor or Creditors, at the Rent fixed by the Appraiser; or shall neglect or refuse to pay the Rent as it becomes due, then and in either of these cases, the Person or Persons in Possession of the said Lands

Lands or Tenement, shall be deemed as guilty of wrongful detainer, and shall and may be Prosecuted as is directed in, and by an Act made and pass'd in the 32d Year of His late Majesty's Reign, Intituled an Act directing the Proceedings against forcible entry or Detainer.

And whereas in the Second Clause of the above recited Act, It is among other Things enacted, That the Provost Marshal or his Deputy shall immediately deliver, seizin and possession to such Creditor or Creditors, of all Lands and Tenements, the yearly Rents of which shall not be sufficient to satisfy the debt, Cost, and Interest together with the Charge of needful Repairs, and cause the Person or Persons in Possession or improvement thereof to attorn and become Tenants to such Creditor or Creditors, and pay their Rent to him or them : And Whereas this part of the said Act has been found insufficient, to answer the purpose thereby intended, Be it therefore further enacted, That in case the Tenant or Tenants, or other Person in possession or improvement of all such Lands or Tenements, on which such Execution shall be Levied, shall Refuse to attorn and become Tenants to the Creditor or Creditors, at such Rents as the said Creditor or Creditors shall think Reasonable, and pay the same as it becomes due, that then and in either of these cases, the Person or Persons in possession of the said Lands or Tenements shall be held and deemed wrongfull detainers of the premises, and shall and may be prosecuted as is herein before directed.

And be it enacted, That the attornment, shall be in the form following.

“ I. A. B, of \_\_\_\_\_ do hereby attorn and become Tenant  
“ to C. D. of \_\_\_\_\_ for \_\_\_\_\_ for the term of \_\_\_\_\_  
“ \_\_\_\_\_ at the Yearly Rent of \_\_\_\_\_ p Annum ; the said  
“ Rent to be paid quarterly, with Liberty for the said C. D. or his  
“ attorney to enter into said premises and distrain for the said Rent,  
“ if in arrear ; in Consideration of which attornment I have paid the  
“ said C. D. the Sum of *One Shilling*. \_\_\_\_\_ Witnesses my Hand at  
\_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_

Witness



An Act in Addition to an Act, intituled an Act, for regulating and maintaining an House of Correction or Work-House, within the Town of *Halifax*; and for Binding out poor Children, made and pass'd in the *Thirty Third* Year of His Late Majesty's Reign.



HEREAS several inconveniencies have arisen for want of Sufficient Directions being given in the Act, made and passed in the *Thirty Third* Year of His late Majesty's Reign, Intituled, Act, for Regulating and Maintaining an House of Correction, or Work-House within the Town of *Halifax*, and for Binding out Poor Children, touching the Regulating and Governing the Work-House,

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*Work-House, erected in the Town of Halifax; and other Matter, intended to be provided for by the said Act.*

*Be it enacted by the Lieutenant Governor, Council, and Ass<sup>ts</sup>, That from and after the Publication hereof, the ordering and Governing the said House of Correction or Work-House, shall be in the Justices of the Peace in their Quarter Sessions, (except three Rooms, which shall be reserved for the Reception of the Poor, under the Direction of the Overseers of the Poor,) and the said Justices are hereby also empowered to agree with any Person to be Master or Keeper of the said House, (excepting the three Rooms before excepted) upon the best Terms they can, for such Time as they shall think advisable, publick Notice being first given in the *Halifax Gazette* for that Purpose; and such Master or Keeper shall account with the said Justices in Sessions, once in every Three Months (if required,) therein stating as well the Expences of attending the said House, as all the Earnings of the same.*

*And be it further enacted, That the said Justices shall nominate Three of their Bench Quarterly, to have the Inspection of the said Work House, one of which Justices in Rotation shall visit the same at least once every Week, to see that such Persons as shall be committed thereto, be kept diligently to Work; and to rectify any Abuses, that may be found in the Management thereof.*

*and whereas, By the said Act, Sick and weak Persons, unable to Work, are directed to be sent to the said House of Correction, to be there taken care of and Relieved, which has been attended with great Expence, for Remedy whereof*

*Be it enacted, That it shall be in the Power of the Overseers of the Poor of the Town of Halifax only, to send such Sick and weak Persons to the Work-House, there to be relieved by their Direction, and the Expence thereof to be defrayed out of such Taxes, or PooisRate, as shall be granted and collected for the Town of Halifax.*

*And whereas, The Clause in the said Act, relating to the Binding out Poor Children, and Orphans, is confined to the Town of Halifax only, which if extended to the other Towns in the Province, might be attended with many good Effects. Be it therefore enacted, That the said Clause in the before recited Act, relating to the Binding out Poor Children and Orphans, and all the directions therein contained, shall for the future extend, and be contrued to extend, to all the other Towns in this Province.*

*Published according to Law, the 28th Day of November 1763.*

