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Additional comments /  
Commentaires supplémentaires:

Pagination is as follows: p. 245-266.

Pages 250-251, 253-266 are incorrectly numbered pages 251, 250, 252-263,  
263-264.

At the GENERAL ASSEMBLY of this Province of *Nova-Scotia*, begun and holden at HALIFAX, on the fixth Day of *June* 1770, in the Tenth Year of the Reign of our Sovereign Lord GEORGE the Third of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c. And there continued by several Prorogations until the First Day of November 1784, in the Twenty Third Year of His said Majesty's Reign, being the Thirteenth Session of the Fifth General Assembly convened in the said Province.

## C A P. I.

AN ACT for more effectually raising a Duty of Excise on Wine, Rum and certain other enumerated Articles, and for preventing Frauds in the Collection of the Revenue.

*W* HEREAS the Duties of Excise heretofore collected within this Province, and the Mode of collecting the same, has been found inconvenient, and the Monies arising therefrom insufficient to pay off the Debts, and support the Expences of this Government; for Remedy whereof

Preamble.

I. Be it Enacted by the Governor, Council and Assembly, That from and after the First Day of *January*, which shall be in the Year of our Lord One Thousand Seven Hundred and Eighty five; the following Duties of Excise shall be paid on the several Article herein after enumerated, which shall be sold or expended within this Province, viz.

Duties granted on

On all Rum and other distilled Spirituous Liquors, Three Pence per Gallon.

Rum, 3d. per Gallon.

On all Porter, Ale or Strong Beer, Five Shillings per Hoghead of Sixty Three Gallons.

Porter; &amp;c. 5s. per Hoghead.

U

On

And bottled Ale,  
Porter, &c. 6d. per  
Dozen.

All Wines, 3d. per  
Gallon.

Refined Sugar,  
1d per Pound.

Tea, 2d. per Pound,

Cards, 1s. per Pack.

On all bottled Ale, Porter, Cyder or ſtrong Beer, Six Pence per  
Dozen.

On all Wines in Caſks or Bottled, Three Pence per Gallon.

On all refined Sugar, One Penny per Pound.

On all Tea of every Kind, Two Pence per Pound.

On all Playing-Cards, one Shilling per Pack.

Which ſaid ſeveral Duties ſhall be paid and collected in Manner and under the Rules and Regulations herein after mentioned and expreſſed; (except the Produce and Manufactures of Great-Britain or Ireland, and legally and directly imported therefrom,) *that is to ſay*, that after ſaid Firſt Day of *January*, all Merchants, Diſtillers, and other Perſons whatſoever, importing or receiving any of the ſaid herein before enumerated Articles, he or they ſhall in Twenty-four Hours after Importation or Receipt thereof, render an Account on Oath to the Collector of Impoſt and Excife for the Diſtrict wherein ſuch Merchant, Diſtiller or other Perſon ſhall live, ſpecifying in ſuch Account the Quantity of each of the ſaid enumerated Articles ſo by him imported or received, ſpecifying the Kind of Packages in which the ſame is contained, and the Marks and Numbers thereof, under the Penalty and Forfeiture of One Hundred Pounds to be recovered and applied in Manner and Form herein after mentioned, and all and every of the ſaid Articles herein before enumerated, if the Value thereof does exceed Five Pounds, which ſhall be found in the Cuſtody or Poſſeſſion of any Perſon or Perſons whatſoever, within this Province, without a Certificate from the ſaid Collectors that an Account thereof has been rendered to ſuch Collectors as aforeſaid, ſuch Articles ſo found ſhall be liable to be taken in Cuſtody condemned and diſtributed in Manner hereafter mentioned, and the Perſon or Perſons in whoſe Cuſtody the ſame ſhall be found, ſhall forfeit and pay the Sum of Fifty Pounds each, to be levied and applied as herein after mentioned.

Importers &c. to  
render Account on  
Oath to Collectors  
in 24 Hours after  
Importation of enu-  
merated Articles,  
under Penalty of  
£.100.

Any of the aforeſaid  
Articles, Value ex-  
ceeding £.5 with-  
out Certificate from  
Collectors, of Ac-  
count being render-  
ed and found in  
Cuſtody of any Per-  
ſon, to be condem-  
ned, the Perſon to  
forfeit £. 50.

Masters and Owners  
of Veffels in 24  
Hours after Arrival  
in any Port, &c. to  
make Report of his  
Loading to the Col-  
lector of the Di-  
ſtrict, on Oath.

Neglecting or  
Breaking Bulk  
without Collectors  
Permit and acting  
contrary thereto,

II. *And be it further Enacted*, That all Maſters or Owners of Veffels, having on Board thereof any of the ſaid enumerated Articles, ſhall in Twenty-four Hours after the Arrival of ſuch Veffel in any Port, Harbour or Creek within this Province, make Report of ſuch of the ſaid enumerated Articles as ſhall be loaden on Board ſuch Veffel, to the Collector of Impoſt and Excife for the Diſtrict wherein ſuch Port, Harbour or Creek ſhall lie, and ſhall alſo report to ſuch Collector the Number of Packages in which ſuch enumerated Articles ſhall be contained, and the Marks and Numbers thereof as well as the Names of the Perſon or Perſons to whom the ſame ſhall be conſigned, which Report ſhall be made on Oath, and if ſuch Maſter or Owner ſhall neglect to make ſuch Report, or ſhall on any Account break Bulk before he or they ſhall have made the ſame and obtained a Permit from ſaid Collectors to unload, or ſhall act contrary to the Tenor of ſuch Permit, or after any of the ſaid enumerated Articles ſhall have  
been

been landed at the Wharf or Landing where fuch Collector fhall appoint, fhall fuffer the fame to be removed or carried away before the fame fhall be gauged or weighed, and Permit obtained from the faid Collectors for the Perfon to whom fuch Articles fhall be configned to remove the fame, the Veffel out of which any of the faid enumerated Articles fhall be fo clandestinely landed, fhall be liable to be taken into Cufody, condemned and diftributed in Manner herein before mentioned.

III. *And be it alfo further Enacted,* That all Diffillers fhall on the firft day of each and every Month deliver to the faid Collector within whose diftrict fuch Diffill Houfe fhall lie, an Account in writing and upon Oath of all Rum and other diffilled Spirituous Liquors remaining in his Poffeffion, and on the firft day of each and every Month or within three Days after fhall render an Account on oath to faid Collectors of all Rum and other diffilled Spirituous Liquors by them diffilled during the Month then laft paft, under the Penalty of One Hundred Pounds, to be recovered and applied as herein after mentioned, and if the Bufinefs of fuch diffill Houfe fhall be carried on under the Direction of a Foreman, then the faid Foreman fhall render in monthly Accounts in the Manner herein before directed, and on Failure thereof fhall be fubject to the fame Penalty, that the Owner in fuch Cafe would be fubject to, and fuch Diffiller fhall be fubject to all the Laws and Regulations herein after mentioned, relative to Stockholders.

IV. *And be it further Enacted,* That on Report of all the faid enumerated Articles and every Part thereof being made, and Account rendered to the Collectors of Impoft and Excife, as herein before fpecified, the Collector or Collectors fhall grant a Permit in the Form herein after fpecified to the Mafter or Owner of fuch Veffel, to break Bulk and unload at fuch Wharf or Landing, as fuch Collector fhall think moft convenient to the Importer, and fhall caufe fuch of the faid enumerated Articles as fhall be loaden on Board fuch Veffel to be gauged or weighed, and on the Importer or Perfon to whom fuch Goods fhall be configned, giving good and fufficient Security to fuch Collectors that he or they fhall and will at the End of every three Months render an Account on Oath of the Quantity of fuch enumerated Articles as he or they fhall have difpofed off, and fhall pay to faid Collectors the Amount of the Duties for fo much of the faid enumerated Articles as he or they fhall have, and in Cafe after the enumerated Articles fo imported, fhall be gauged and weighed as aforefaid, no Perfon fhall appear to give the Security and receive the Permit herein before fpecified, then it fhall and may be lawful for faid Collector or Collectors to caufe the fame to be ftored in fome fafe Place, and there kept until fome Perfon lawfully authorized, fhall appear to give faid Security, receive fuch Permit and pay the Charges of Storage, and if no  
Perfon

Or after any Articles fhall have been landed at the Wharfe &c. where Collectors fhall appoint or fhall remove the fame without being gauged or weighed, Veffel liable to be condemned.

Diffillers fhall deliver to the Collectors every Month an Account of all Rum &c. remaining in their Hands, on Penalty of £100.

Any Foreman of a Diffill Houfe having the Care thereof liable to the like Penalties.

On Report of all Articles and Accounts rendered to Collectors. Collectors to grant Permits in Form to be fpecified, to Mafters and Owners of fuch Veffel to unload at fuch Wharfe as the Collectors fhall think moft convenient to the Importers, and caufe faid Articles to be gauged and weighed, Importers &c. to give good Security to the Collectors, and account on Oath every 3 Months of the Quantity of Articles difpofed of and pay Amount of Duties for fo much as he or they fhall have. After Articles imported fhall be gauged and weighed,

if no Person shall appear to give Security or receive Permits. Collectors to cause the same to be stored. If no Person appears to comply with such Regulations, it shall be lawful for Collectors at the End of 6 Months to sell the same at Auction & after Deduction of Duties, &c. to pay Proceeds into the Treasury. To remain there for the Owner. Collectors not to suffer any Transfers from the Stock of one Stockholder to another, the original Stockholder always to be accountable for the Duties quarterly.

Not necessary to take Permits to transport any Quantity of Articles, unless they exceed £5. Value and Duties having been paid, &c. If they shall exceed £5. After 4 January next and be found in the Custody of any Person without Permit, such Articles with the Vessels, Boats, Carts, &c. in or on which the same shall be laden, shall be liable to be condemned and the Persons in whose Custody the same shall be found forfeit £.50. Not to extend to Persons who have mislaid their Permit and shall duly prove the same.

Collectors previous to settling Stockholders Accounts may send proper Officers to their Warehouses, &c.

Person shall appear and comply with such Regulations, it shall and may be lawful for the Collector or Collectors of such District at the End of Six Months, to sell the same at public Auction, and after Deducting the Duties, Storage and other Expence, to pay the Proceeds into the Treasury of this Province, there to remain for the right Owner, and it shall on no Account whatsoever be lawful for said Collector or Collectors to suffer any Transfer to be made from the Stock of one Stockholder to that of another, but the original Importer, Consignee or Distiller to whose Stock Account any of the said enumerated Articles shall be entered in the first Instance as aforesaid, shall be always held accountable for the said Duties of Excise, at the End of every Quarter of a Year, and shall pay the same for so much of his said Stock as shall have been consumed or otherwise disposed off during that Period, † and no Stockholder shall have any Credit allowed to him in a Settlement of his Stock Account for any of the said enumerated Articles charged to his Account, which he or any other Person may export to any of the Out Ports within this Province; but the Person or Persons to whose Account such Articles were originally entered, shall be answerable as tho' such Articles exported to said Outports were consumed within the District wherein such Stockholder shall reside.

V. *And be it further Enacted*, That there shall be no Necessity for any Person, to take a Permit, to transport either by Land or Water, any Quantity of the said enumerated Articles, unless the same shall exceed the Value of Five Pounds, provided the Duties hereby appointed to be paid thereon, shall be paid or secured before the Removal of such Articles, and if any of the said enumerated Articles, exceeding the Value of Five Pounds, shall after the Fourth Day of January next, be found in the Custody of any Person or Persons whatsoever, within this Province, without a Permit for the same, or on which the said Duties have not been paid or secured, such Articles together with the Vessels, Boats, Carts, Waggon, Horses or Trucks, in or upon which the same may be laden shall be liable to be taken into Custody, condemned and distributed in Manner herein after mentioned, and the Person or Persons in whose Custody the same shall be found, shall forfeit and pay the Sum of Fifty Pounds each, to be levied and recovered in Manner after mentioned, provided nothing in this Clause shall extend to affect any Person who may have lost or mislaid his or their Permit, but upon such Person, making due Proof of the same, he or they shall be exempted from the Penalties specified in this Clause.

VI. *And be it further Enacted*, That it shall and may be lawful for the said Collectors, previous to settling Accounts with the several Stockholders, to send proper Officers to the Warehouse, Cellars or Stores of the several Stockholders within his District, and it shall and may be lawful for such Officer or Officers to gauge and weigh the several

† And no Stockholder shall have Credit allowed him in his Account of any Articles exported to any of the out Ports; but the Person to whose Account such Articles were originally entered, shall be answerable.

veral enumerated Articles in the Custody of fuch Stockholder, and to make Report of the Quantity thereof to fuch Collector, or in Cafe fuch Stockholder or any Person fhall interrupt or prevent fuch Officer or Officers from doing faid Duty, he or they fhall forfeit and pay for every Offence the Sum of Ten Pounds each, to be levied and recover, ed as herein after mentioned, and every Stockholder fhall in Ten Days after the End of every three Months attend the faid Collectors, and fettle their Stock Account in his Office on Oath; and fhall pay immediately to fuch Collectors the Duties of Excife, appointed by this Law, deducting only One and a half, per Cent. on the Sum fo be paid in Lieu of all Waste Lofs or Leakage that may arife on fuch Stock, during faid three Months, and in Cafe fuch Stockholder, fhall neglect or refuse to fettle Accounts as aforefaid and pay the Sums fo due, his or their Bonds, fhall immediately be put in Suit againft him or them and fuch Stockholder over and above the Sum or Sums recovered on fuch Bonds, fhall forfeit and pay the Sum of Ten Pounds for each and every Neglect or Refufal, to be recovered and difpofed off as herein after mentioned.

VII. *And be it further Enacted*, That in Cafe any of the faid enumerated Articles being reffhipped or exported out of this Province to any other Country not within its Jurifdiction, that the Mafter of the Veffel and the Stockholder from whose Stock fuch of the faid enumerated Articles fhall be fo reffhipped or exported, fhall firft take a Permit from the faid Collectors to authorize fuch Exportation, and after fuch of the faid enumerated Articles fo to be exported fhall be loaden on Board the Ship or Veffel fo to carry the fame away; that then the Mafter of fuch Veffel and the faid Stockholder fhall make and fubfcribe the following Affidavit before the faid Collectors, out of whose Diftrict fuch Exportation is to be made;

*I A. B. and C. D. do swear that the* \_\_\_\_\_ *is now actually*  
*ffhipped on Board the* \_\_\_\_\_ *whereof the faid A. B. is Mafter, bound*  
*for* \_\_\_\_\_ *and is really and Bona fide a Part of the Stock of the*  
*faid C. D. entered in this Office, and that the fame is not intended to be again*  
*landed, fold, bartered or exchanged in any Part of this Province.*

Which Affidavit, when made, fhall be filed in the faid Collectors Office, and fo much of the faid Stockholders Stock; as fhall be fpecified in fuch Affidavit, and Permit fhall be put in Suspence, and no Part of the faid Excife Duties fhall be demanded thereon for nine Months, and if any Time before the Expiration of the faid nine Months, the Stockholder fo exporting, fhall produce an authentic Certificate from the Collectors in Chief of the Duties or Customs for the Kingdom, Province or Country, to which fuch Exportation fhall be made that the Articles fpecified in fuch Affidavit, have actually been landed within fuch Collectors Diftrict, that then it fhall and may be lawful for the faid Collectors of Impoft and Excife to give fuch Stockholder

who may gauge and weigh their Stock and report the fame to Collectors. Such Officers not to be interrupted in his Duty under Penalty of £.10 Stockholder in 10 Days after the End of every 3 Months to fettle their Accounts with Collectors and pay the Duties deducting 1 ½ per Cent, in Lieu of Wallage or Leakage, Stockholders not duly settling Accounts, Bonds to be put in Suits and to forfeit £. 10. for every neglect.

Articles reffhipped or exported out of the Province, Mafter of the Veffel and Stockholder fhall firft take a Permit to authorize fuch Exportation, and after fuch Articles fhall be loaden on Board the Veffel, the Mafter and Stockholder to fubfcribe an Oath before Collectors.

Oath,

Which fhall be filed with the Collectors, and fo much of faid Stockholders Stock as foecified in faid Oath, No Part of faid Excife Duties fhall be demanded for Nine Months, if before the Expiration of faid 9 Months, the Stockholder fo exporting fhall produce a Certificate from the Collector of the Kingdom, &c. to which fuch Exportation has been made, and landed.

Then the Collectors may give such Stockholder Credit for Amount of the Duties exported. On neglect of producing said Certificate to stand charged with and liable to pay full Amount of Duties on the Articles exported. If reloaded in any Part of the Province after cleared for Exportation, such Vessel or Vessels on Board of which such Articles shall be found, to be taken into Custody, condemned, &c. Persons aiding in landing the same, to forfeit on Conviction £. 100. Such Articles after Exportation found in Custody of any Person on due Proof of the same to be condemned. The Person or Persons in whose Custody the same shall be found to forfeit £. 50. for each Offence.

Storekeeper of his Maj's. Careening Yard, Contractor or Agent, importing Rum, &c. for the Use of said Yard or Navy to enter the same with the Collectors on Failure to suffer the like Penalties imposed on other Persons by this Act.

Storekeeper or Contractor or Agent purchasing Rum &c. from any of the Stockholders for the Use of Navy, &c. the Commissioner of the Yard or Officer commanding the Navy to certify to the Governor and Council the necessity to purchase and Quantity necessary. The Governor with Advice of Council,

Credit for the Amount of the Excise Duties on the Articles so exported, and in Case such Stockholder shall neglect to produce such Certificate or Certificates before the Expiration of said nine Months, that then and in such Case such Stockholder shall stand charged with, and be liable to pay the full Amount of the Excise Duties on such Articles so exported, in as full and ample a Manner, as if the same was consumed within this Province, and if any Vessel or Vessels shall be found relanding of any of the said several enumerated Articles in any Part of this Province after the same shall have been cleared out for Exportation, as aforesaid, such Vessel or Vessels with all the said several Articles on Board thereof, shall be taken into Custody, condemned and distributed in Manner here after mentioned, and all Persons aiding or assisting in Landing the same, shall forfeit and pay on Conviction the Sum of One Hundred Pounds, to be levied and disposed off in Manner here after mentioned, and if any of the said enumerated articles shall after Exportation thereof be found in the Custody of any Person or Persons within this Province, such Article or Articles shall on due Proof thereof be taken into Custody, and condemned and distributed in Manner herein after mentioned, and the Person or Persons in whose Custody the same shall be found, shall forfeit and pay the Sum of Fifty Pounds each for every Offence, to be levied and distributed in Manner herein after mentioned.

VIII. *And be it further Enacted*, That if the Storekeeper of his Majesty's Careening Yard, or the Contractor, or his or her Agent, for supplying his Majesty's Navy, shall import into any Part of this Province, any Rum or other distilled Spirituous Liquors for the Use of his Majesty's Careening Yard or Navy, such Storekeeper and Contractor, or his or her Agent shall enter the same with the Collector of Impost and Excise in the Manner and Form herein before directed for Persons importing any of the said enumerated Articles into this Province, and on Failure of complying with all or any of the Regulations herein before specified as necessary to enable him or them to become Stockholders within this Province, for such Importation, such Storekeeper or Contractor shall be liable to pay and suffer all the Penalties and Impositions laid or imposed on any other Person by this Act, and in Case it may be necessary for the Storekeeper of his Majesty's Careening Yard, or Contractor, or his or her Agent for supplying his Navy, to purchase from any of the Stockholders of this Province any Rum or other distilled Spirituous Liquors for the Use of said Yard or Navy, that it shall and may be lawful for the Commissioner of the said Yard for the Time being, or the Commanding Officer of the Navy for the Time being, to certify to the Governor, Lieutenant Governor, or Commander in Chief, and the Council of this Province, the Necessity there is to make such Purchase, and the Quantity necessary to be bought, and it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief, with the Advice of His Majesty's Coun-

Council to grant a Licence under Hand to fuch Storekeeper or Contractor, to make fuch Purchafes, and after fuch Purchase fhall have been made, it fhall and may be lawful for the faid Storekeeper or Contractor, or his or her Agent, by Memorial, to inform the faid Governor, Lieutenant Governor, or Commander in Chief and Council, of the Quantity fo by him bought from any Stockholder within this Province, and it fhall and may be lawful, if it fhall appear to the faid Governor, Lieutenant Governor, or Commander in Chief, that no unfair Practice has been ufed in fuch Purchase to give Licence under his Hand to the Collectors of Impoft and Excife to give Credit to fuch Stockholder in the Settlement of his Stock for the Amount of the Excife Duties on fuch Rum or other diftilled Spirituous Liquors fo purchafed from him, and the Amount thereof fhall be charged to the Stock Account of fuch Storekeeper or Contractor or his or her Agent, and the faid Storekeeper and Contractor and his or her Agent fhall fettle their Stock Account Quarterly with the Collectors of Impoft and Excife, in the Manner herein before fpecified, for other Stockholders to fettle the fame, and fhall fuffer their faid Stock to be guaged whenever the faid Collector fhall order the fame to be done, and fuch Storekeeper or Contractor on fuch Quarterly Settlement fhall produce an Account of the Manner in which the Quantity of Rum or other diftilled Spirits which faid Stock fhall be deficient, have been difpofed off, which Account fhall be rendered on Oath by faid Storekeeper or Contractor, or his or her Agent, and fuch Storekeeper or Contractor or his or her Agent fhall produce Certificates from the faid Commiffioner or the Commander of fuch Ship or Ships of War, to whom the feveral Articles contained in faid Account have been delivered, and the faid Collectors fhall give the Stock Account of fuch Storekeeper or Contractors Credit for the Amount of the Duties of faid Rum or other Spirits, the Difpofal of which fhall be fo accounted for and certified, and if there fhall be any Part of the Difficiency of fuch Stock, which the faid Storekeeper or Contractor or his or her Agent fhall be unable to Account for as aforefaid, fuch Storekeeper or Contractor, or his or her Agent fhall be compelled to pay the faid Excife Duties on fuch Difficiency in fuch Manner and Form and under fuch Penalties as any other Stockholder within this Province would be compelled to pay the fame, and in Cafe fuch Storekeeper or Contractor or his or her Agent fhall refufe or neglect to account Quarterly with faid Collectors or to fuffer their Stock to be guaged or weighed, fuch Storekeeper or Contractor and his or her Agent fhall be liable in every Shape to pay fuch Penalties as any other Stockholder in this Province would in fuch Cafe be liable to pay.

to grant Licence to fuch Storekeeper &c. to make fuch Purchase.  
Storekeeper, &c. to inform faid Governor, &c. of the Quantity by him bought from any Stockholder, if it fhall appear to the Governor, &c. that no unfair Practices have been ufed, to give Licence to Collectors to give fuch Stockholder Credit in his Stock Account for Amount of Rum &c. purchafed and charged to Stock Account of faid Storekeeper, Contractors, &c. who are to fettle their Stock with Collectors Quarterly, and fuffer the fame to be guaged and weighed at Difcretion of Collectors, on fuch Settlement to produce an Account of the Manner in which the Quantity of Rum &c. has been difpofed of, which Acct. is to be rendered on the Oath of fuch Storekeeper or Contractor &c. who fhall produce Certificates from the faid Commiffioner or Commander of fuch Ships or Veffels of War to whom the Articles contained in faid Account have been delivered, on producing faid Certificates, Collector to give fuch Storekeeper or Contractor &c. Credit for Amount of Duties. Any Difficiency of fuch Stock, Storekeeper, &c. to

## IX.

pay the Duties under like Penalties of all other Stockholders; in Cafe Storekeeper &c. fhall refufe or neglect to Account Quarterly and fuffer their Stock to be guaged or weighed, to be liable to the fame Penalties as other Stockholders in this Province.

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, Plaint &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, Plaint 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,

Licence, and shall then fell or retail in fuch Shop no lefs a Quantity than one quart under the Penalty of Twenty Pounds, to be levied and applied as aforefaid, nothing in this claufe to be contained to extend to prevent any Stockholder from fupplying his Servants or Labourers with any Quantity of faid Liquors; provided the fame shall have paid the Duty required by the feveral Laws of this Province.

XI. *And be it further Enacted,* That when any Ship or Veffel, having any of the herein before enumerated Articles on Board, shall arrive within the Diftrict of any Collector or Collectors of Impoft and Excife within this Province, fuch Collector or Collectors, if fuch Ship or Veffel, shall break Bulk within his Diftrict shall immediately take proper Steps as herein before directed, to afcertain the Quantity of fuch enumerated Articles, and shall on no Account fuffer faid Veffel, or any of the faid enumerated Articles to depart out of his Cufody until the Importer thereof, or fome other Perfon on his Behalf shall enter the fame to his Stock Account, and shall give good Security, as herein before fpecified faithfully to Account for the Difpofal thereof, and to perform every other Matter and Thing required by this Act, and the Excife Duties on all faid enumerated Articles shall be fecured in the Diftrict wherein they shall be firft imported, and the Stockholder to whole Account the fame shall be firft placed, and his Bondfman shall be the only Perfon to Account for the Difpofal thereof, and no Perfon shall be admitted to open a Stock Account with any of the faid Collectors, unlefs the enumerated Articles, fo to be entered to his Account shall exceed the Value of Hundred Pounds.

XII. *And be it further Enacted,* That any Perfon or Perfons carrying any of the faid enumerated Articles Coaftways, or by Land from one Diftrict to another within this Province, shall have a Permit as herein before directed from the Collector of the Diftrict out of which he shall remove fuch Article or Articles under the Hand of fuch Collector, which shall remove fuch Article or Articles fo permitted have either paid or fecured the feveral Duties due on fuch Articles to his Majefty for the Ufe of this Province, which Permit shall be entered with the Collector of Diftrict, to which fuch Articles shall be permitted, and if any of the faid enumerated Articles shall be found within the Diftrict of any Collector within this Province, without the original Entry, or without the Entry of fuch Permit being made with fuch Collector, fuch Article or Articles shall be taken into Cufody, condemned and diftributed in Manner aforefaid, and the Perfon or Perfons in whose Cufody the fame shall be found, shall forfeit and pay each the Sum of Fifty Pounds, to be levied and recovered in Manner aforefaid, No Advantage to be taken if fuch Permit by any Casualty shall be loft or miflaid, but fuch Collector on Proof of fuch Loss, shall detain the Article or Articles fo feized until another Permit shall be obtained in Lieu of the one loft, from the Diftrict out of which

a Licence, and then Retail no lefs Quantity than a Quart under like Penalty, but not to prevent Stockholders from Supplying their Servants or Labourers with any Quantity of Liquors Provided the fame has paid the Duties.

When any Ship or Veffel having any enumerated Articles on Board shall arrive within any Collectors diftrict and shall Break Bulk he shall take proper methods to Ascertain the Quantity of Articles and not fuffer Veffel or Articles out of his Cufody without Importing fufficient Security to Account for difpofal thereof, and no Perfon shall be admitted as a Stockholder unlefs Articles fo entered shall exceed £100.

Perfons carrying enumerated Articles Coaftways or by land to have a Permit, any Articles found without fuch permit to be taken into Cufody and condemned, Perfons in whose hands faid Articles shall be found to forfeit £50 each, if fuch permit by Casualty shall be Loft, Collectors on due proof may detain fuch Articles, & allow Perfons claiming a reasonable

time to produce an other, on being given Security for paying the Duties.

ſuch Article or Articles ſhall be moved, or may reſtore the ſame; Provided the Perſons claiming thereof, ſhall give Security to produce ſuch Permit in a reaſonable Time.

Collectors, &c. may enter Veſſels, houſes, &c. of perſons ſuſpected of acting contrary to this Act and ſearch the ſame

XIII. *And be it further Enacted*, That it ſhall and may be lawful for the Collector or Collectors, Land Waiters or Gaugers, to enter the Veſſels, Houſes, Shops, Stores or Cellars of all Perſons ſuſpected of having any of the ſaid enumerated Articles in his or their Poſſeſſion for Sale, contrary to the Regulations preſcribed in this Act, and to ſearch for the ſame, and if any Perſon or Perſons whatſoever, ſhall obſtruct ſuch Collector or Collectors, Landwaiters or Gaugers, or ſhall reſuſe to permit them to enter and ſearch ſuch ſuſpected Place, ſuch Perſon or Perſons on conviction thereof, ſhall forfeit and pay for every Offence the Sum of Twenty Pounds each, to be levied and diſtributed as aforeſaid.

No Perſon to obſtruct Collectors, &c. therein, under Penalty of £20.

Permit to break Bulk and remove Articles from the landing to be agreeable to Form preſcribed in the Act for more effectually raiſing a Revenue, &c. and Permit to remove Stock as follows.

XIV. *And be it further Enacted*, That the Permits herein before mentioned ſhall be in the following Words, *that is to ſay*: a Permit to break Bulk, and a Permit to remove any of the ſaid enumerated Articles from the Landing to the Stockholders Store, ſhall be agreeable to the form heretofore preſcribed in an Act made this preſent Seſſions, intituled, *An Act for more effectually raiſing a Revenue within this Province*, and a Permit to authoriſe any Perſon to remove any of the ſaid enumerated Articles from the Stores of any Stockholder within this Province ſhall be as follows:

Form of Permit.

PERMIT, *A. B.* to receive from the Stock of *C. D.* the following Articles, viz. *and to carry the ſame from within the Town of \_\_\_\_\_ to \_\_\_\_\_ the Duties thereof having been paid or ſecured in the Collectors Office at \_\_\_\_\_ Given under my Hand at this \_\_\_\_\_ Day of \_\_\_\_\_ 1784. A. D.*

Certificate of duties paid.

A Certificate of the Duties having been paid to be as follows: *I \_\_\_\_\_ Collector of \_\_\_\_\_ Do certify, that the Duties on the ſeveral following Articles, viz. on \_\_\_\_\_ which are permitted to A. B, from the Stock of C. D. has been paid and ſecured within my Diſtrict, given under my Hand this \_\_\_\_\_ Day of \_\_\_\_\_ A. D.*

All Articles to be entered with Collectors on 2d Jan. next, in Caſe of Importation duties to be ſecured, Articles not entered or duties ſecured by 4th Jan. liable to Condemnation.

XV. *And be it further Enacted*, That all the ſeveral herein before enumerated Artciles, which ſhall be within this Province or the Ports Harbours and Creeks thereof, on the Second Day of January next, ſhall be entered with the Collectors of the ſeveral Diſtricts wherein the ſame ſhall be in the Manner herein before directed in Caſes of Importation, and it ſhall and may be lawful for the ſaid Collectors to proceed to ſecure the Duties thereon in the Manner and Form herein before ſetforth and all ſuch enumerated Articles as ſhall not be entered, and the Duties ſecured on or before the fourth Day of January next, ſhall be liable

to Condemnation, and the Persons poſſeſſed thereof or concerned in ſecreting the ſame, ſhall be liable to the ſame Pains and Penalties as is herein before ſpecified, to be incurred for not entering or ſecreting of the ſaid enumerated Articles after Importation, and all and every of the ſaid enumerated Articles, that ſhall be within this Province as aforeſaid, although the ſame was imported at any Time before ſaid firſt Day of *January*, 1785, ſhall after the ſaid Firſt Day of *January* next, be ſubject to all the Duties, Rules, Orders and Regulations in this Act contained in the ſame Manner as ſuch Articles would be ſubject thereto if imported after the ſaid firſt Day of *January*, provided, that nothing herein contained ſhall extend to the levying a new Excife Duty on any of the ſaid enumerated Articles, on which the full Amount of the Excife Duty payable thereon by the Laws of this Province has been levied or collected before the ſaid firſt Day of *January* next.

XVI. *And be it further Enacted*, That this Act ſhall be the Rule and Guide of the Collectors of Impoſt and Excife, and the Officers employed under them, and if any of the ſaid Collectors ſhall fail or neglect to do the Duty required by this Act for them to do, ſuch Collector or Collectors ſhall forfeit and pay for each and every Failure or Neglect the Sum of Fifty Pounds, to be levied and diſtributed as aforeſaid, and the Collector and Collectors, Receiver or Receivers for the Time being, ſhall render to the Treafurer of this Province a juſt & true Account according to the Form, in which he or they ſhall from Time to Time be directed by the ſaid Treafurer to account and ſhall pay into his Hands all ſuch Monies by him or them received in purſuance of this or any other Revenue Act within this Province, the Collectors of *Halifax* in Fifteen Days, and every other Collector in Thirty Days after the End of each Quarter, under the Penalty of One Hundred Pounds for his or their Neglect, and ſuch Collectors ſhall keep regular Accounts of all Permits, and Certificates by them given or received, and no Perſon or Perſons whatſoever ſhall preſume to execute the Office of Collector of Impoſt and Excife in any Diſtrict within this Province after the firſt Day of *January* next, before he or they ſhall have given Bond in the ſaid Treafurer's Office with two good and ſufficient Perſons joined therein, for his or their faithful Diſcharge of the Duties of ſuch Office, and ſhall have taken an Oath to that Purport, and if any Perſon or Perſons commiſſioned for that Purpose ſhall execute ſaid Office of Collector of Impoſt and Excife before ſuch Bond given, and oath of Office taken, he or they ſhall forfeit and pay each the Sum of one Hundred Pounds to be levied and diſtributed as aforeſaid.

XVII. *And be it further Enacted*, That if at any Time on ſettling the publick Accounts, it ſhall appear to the Governor, Lieutenant Governor or Commander in Chief, that any Perſon or Perſons hereafter truſted with any Part of the Collection of the Revenue of this Province,

And Perſons poſſeſſed thereof liable to the all Pains of this Act, all Articles after firſt Jan. ſubject to the Regulations of this Act, not

to extend Articles cited before ſaid 1ſt Jan.

Act to be the rule and Guide of Collectors &c. on neglect of their duty to forfeit £50 for each offence, Collectors to render their Accounts to the Treafurer in manner he ſhall direct, and pay into his hands Monies collected.

Collectors of *Halifax* in 15 days at the end of each Quarter every other Collector in 30 days, on Penalty of £100.

No Perſon to be a Collector after 1ſt Jan. u. next without firſt giving Bond & taking an Oath, under Penalty of £100

Collectors of Revenue detaining in their Hands any Collection longer than one Quarter or Guilty of any Fraud. The Governor may order prosecution.

Any Officer Guilty found to be rendered incapable to hold any civil Office for ever.

Act continued for One Year.

vince, shall have rendered false or unfair Accounts, shall have detained the Government Money in his or their Hands longer than one Quarter of a Year, after the same was due, or appropriated any Part thereof to his or their Use, or shall be guilty of any Fraud or Collusion in such Office, in that Case it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief for the Time being, to direct an Order to the Attorney or Solicitor General for this Province, stating therein the Misconduct of such Officer or Officers, and directing the said Attorney or Solicitor General to file an Information in his Majesty's Supreme Court against such Officer or Officers for such Offence as shall be contained in such Order and to prosecute the same until Verdict and final Judgment had thereon, which Order the said Attorney or Solicitor-General are hereby bound to obey, and if on a fair and impartial Trial of said Information before the said Court, and a Special or Petty Jury at the Option of the Parties, such Officer or Officers shall be found guilty or if such Officer or Officers on due Notice being given him or them of such Information being filed, and he or they shall neglect to appear and defend the same, and shall suffer Judgment of said Court to be given against him for want of such Appearance in either Case, such Officer or Officers are for ever after hereby rendered incapable to serve his Majesty in any Civil Office of Trust or Confidence whatsoever within this Province.

XVIII. *And be it further Enacted*, That this Act and every Matter and Thing therein contained, shall continue and be in full Force for One Year, from said First Day of January next.

## C A P. II.

### An Act for more effectually raising a Revenue within this Province, for the Support of its Government.

Preamble.

*HEREAS* the Revenue heretofore raised within this Province, has been found inconvenient and insufficient; *We do therefore grant unto His Most Excellent Majesty, his Heirs and Successors for the public Use of this Province, and the Support of the Government thereof, the Rates and Duties hereafter mentioned.*

Duties granted.

I. *Be it Enacted by the Governor, Council and Assembly*, That from and after the first Day of January, which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-five, there shall be paid on the several Articles herein after enumerated, which shall or may

may be brought into any Port or Place within this Province, (except the Produce or Manufacture of Great-Britain and Ireland, legally and directly imported from thence) by the Importers thereof, the several Rates and Duties following, viz.

For every Gallon of Rum or other distilled Spirituous Liquors,  
 Three Pence,  
 For every Gallon of Molasses, One Penny,  
 For every Gross Hundred of Brown Sugar, Two Shillings and Six Pence,  
 For every Pound of Coffee, One Penny,  
 For every Pound of Chocolate, Two Pence,  
 For every Gallon of Wine, Three Pence,  
 For every Pound of Leaf Tobacco, One Penny.

For every Gallon 3d  
 Molasses 1d,  
 Brown Sugar 2s. 6d.  
 Coffee per Pound,  
 1d.  
 Chocolate, 2d.  
 Wine per Gallon 3d.  
 Leaf Tobacco 1d.

Which said Rates and Duties shall be paid and collected in the Manner and Form herein after mentioned, *that is to say*, all Rates and Duties arising to his Majesty by Virtue of this Act, shall be paid at the Time of Entering the several Articles herein before enumerated, if the Sum to be paid on Account of said Rates and Duties by any one Person out of any one Cargo shall not exceed the Sum of Twenty Pounds, and in Case the Amount of such Rates and Duties so to be paid by any one Person as aforesaid, shall exceed the said Sum of Twenty Pounds, then it shall and may be lawful for the Collector or Collectors of such Rates or Duties, to give such Person Six Months Credit for the Payment thereof, on his Procuring one good and sufficient Bondsman, to join with him in a Bond or Obligation to such Collector or Collectors, and his or their Successors in Office, for the Use of this his Majesty's Province, in double the Amount of such Sum so to be credited, the Condition of which Obligation shall be, that such Persons so bound, their Heirs, Executors or Administrators shall well and truly pay to such Collectors or their Successors for the Use aforesaid, in Six Calender Months, from the Date thereof, the full Amount, of such Sum or Sums so to be credited without any Abatement or Deduction on any Account whatsoever, and in case the Person or Persons, importing any of the several Articles herein before enumerated into any Port, Harbour or Creek within this Province, shall after Entry thereof refuse or neglect to pay or secure the Payment of the several Rates or Duties herein before mentioned, or to cause the same to be paid or secured, it shall and may be lawful for the Collector or Collectors to take into Custody so much of the said Articles so subject to the said Rates or Duties herein before mentioned, as shall be sufficient to pay and discharge the whole Amount of such Rates or Duties as shall be due on such Importation, and after publickly Advertising the same, to have been seized on Account of such Neglect, it shall and may be lawful for such Collector or Collectors, if no Person

Duties arising by this Act to be paid at the time of Entry on Sum not exceeding £20. and exceeding that Sum Persons to have 6 Months Credit in giving quarterly of double Amount.

Persons importing any Articles & shall after entry refuse or neglect to Secure or pay the Duties the same to be taken into Custody and liable to be Sold after 10 days, being advertised, no Person appearing for pay Duties.

or Persons shall at the End of Ten Days after such Advertisement appear to pay or secure the Rates or Duties so due, to set up and sell at Public Auction so much of the Articles so seized as shall be sufficient to discharge the several Rates or Duties so due.

Masters of Vessel after arrival having dutiable Articles Breaking Bulk without reporting or shall discharge any part of their Cargo without Permit from Collectors as herein directed.

Collectors to Seize such Vessel and Cargo, the same to be condemned, and Sold, one half of proceeds to informer and other to the use of the Province, Persons aiding in clandestine, practices to forfeit £50.

All Horses, Carts, &c. laden with dutiable Articles not having paid duties to be Condemned.

Persons transporting Articles not exceeding Value £2. by land or Water without Permit, such Articles liable to Seizure and Persons in Possession to forfeit £10.

II. *And be it further Enacted by the Authority aforesaid,* That if the Master, Owners or Crew of any Vessel or Vessels whatsoever, having on Board any of the several dutiable Articles before enumerated, after their Arrival in any Port, Harbour or Creek in this Province, shall on any Account whatsoever break Bulk or discharge any Part of her Cargo, or cause the same to be done until such Cargo shall be reported to the Collectors of Impost and Excise for the District wherein such Port, Harbour or Creek shall lie, or shall on any Account after Report so made, break Bulk or discharge any Part of the Cargo of said Vessel before Permit in Writing for that Purpose had from such Collector or Collectors; shall discharge contrary to the Tenor of such Permit; or shall after Permit obtained, remove or carry away from the Wharf or Landing where the said Collectors shall direct, such Cargo to be landed any Article or Articles which shall be subject to the Rates or Duties before mentioned, before the same shall be gauged or weighed by the proper Officer, and the Duties paid or secured as aforesaid, and a Special Permit obtained from said Collectors for that Purpose, that then and in all such Cases, it shall and may be lawful for such Collectors or others lawfully authorized to seize such Vessel and Cargo, and the same shall be condemned in Manner hereinafter expressed, and shall be sold, and one Half the neat Proceeds thereof shall go to the Informer, and the other Half to his Majesty for the Use of this Province; and all Persons aiding and assisting in such clandestine, breaking Bulk, discharging or removing any of said dutiable Articles herein before enumerated, shall on Conviction in Manner herein after specified, forfeit and pay the Sum of Fifty Pounds each, one Half to the Informer; and the other Half to his Majesty as aforesaid, and all Horses, Carts, Trucks, Waggons, Boats, Shallops or other Craft, of what Kind soever, which shall be found with any of such dutiable Articles laden in or upon the same, before the said Duties shall be paid or secured as aforesaid, and Permit had for the Removal thereof, such Carts, Trucks, Waggons, Boats, Shallops or Craft, shall be seized as aforesaid, and condemned and distributed in Manner herein directed.

III. *And be it further Enacted,* That if any Person or Persons shall transport any Quantity of the said enumerated Articles not exceeding the Value of Two Pounds from Place to Place whether by Land or by Water without Permit first had and obtained from the Collector of the District from whence such Articles are to be removed, which Permit shall specify the Place to which such Articles are to be carried, or shall be found going with such dutiable Articles a Road or Course contrary to that specified in such Permit; or shall neglect to enter such Permit

Permit with the Collector of Impoft and Excife for the Diftrict to which fuch dutiable Articles fhall be fo permitted to be carried, that then and in fuch Cafe it fhall and may be lawful for the proper Officers to feize fuch Article or Articles found in the Poffeffion of any Perfon or Perfons contrary to thefe Rules and Regulations, and the fame fhall be condemned and diftributed as aforefaid, and the Perfon or Perfons in whole Poffeffion fuch dutiable Article or Articles fhall be found fhall forfeit and pay each the Sum of Ten Pounds to be recovered and diftributed as aforefaid.

IV. *And be it further Enacted*, That when any Perfon or Perfons fhall apply to the Collectors of Impoft and Excife for a Permit to remove either by Land or Water any of the herein before enumerated Articles, that then fuch Perfon or Perfons fhall make and fubfcribe an Affidavit to the following Purpofe, viz.

Perfon applying to remove Articles to make Affidavit.

*I A. B. do folemnly fwear, that the feveral Articles for which I now require a Permit, have paid or fecured the feveral Duties laid thereon by Virtue of an Act made and paffed in the 25th Year of his prefent Majefty's Reign, entituled, "An Act for more effectually raising a Revenue within this Province," and that the Articles for which I now require a Permit,*

Affidavit:

*were imported into this Province by*  
*in the Ship* from *and in Cafe fuch*  
Perfon or Perfons applying for a Permit, fhall not be the original Importer and therefore unable to fwear in what vefel or from whence the Articles for which Permits fhall be fo wanted, were imported, fuch Perfon fhall fwear in Lieu of the latter Part of the foregoing Affidavit, that the Articles for which I now require a Permit, viz.  
*were purchafed by me from* and that at the time of fuch Purchase I received a lawfull Permit for the fame.

Which faid Affidavit or Affidavits the Collectors of Impoft or Excife are hereby impowered to adminifter before the granting fuch Permit, and fuch Collector or Collectors fhall keep all fuch Affidavits filed in their refpective Offices.

Which is to be filed with Collectors.

V. *And be it further Enacted*, That the Permits herein before mentioned fhall be in the following Words, that is to fay, a Permit, to Break Bulk, to be as follows:

*Permit A. B. Master of* to begin to unload the Cargo of  
*faid Veffel* Wharfe or Landing within the Diftrict of  
*and to continue to unload the fame betwixt Sun Rifing and Sun Setting each*  
*Day, until fuch Veffels Cargo fhall be difcharged. Given under my Hand at*  
*this* Day of *A. D.*

Permits to Break Bulk.

And a Permit to remove dutiable Articles from the Place of Landing after the Duties fhall be paid or fecured, or from any Place to another

Permit to remove  
Articles after duties  
paid or Secured.

another, or from any District to another, shall be as follows:  
Permit A. B. to remove from within the Town of  
to the Duties thereon having been already  
paid or secured in the Collectors Office at Given under my  
Hand at this Day of A. D.

Time limited for  
discharging and  
Storing Cargoes.

Provided, That the Time limited in such Permits and for the discharging and storing the Cargoes of such Vessels shall be from Sun Rising to Sun Setting both in Winter and Summer

All Causes on Breach  
of this Act may be  
commenced in any  
of the Courts of Law  
at their Stated Sessions, and a Special  
Jury may be called,  
and Persons Defending  
to pay all Costs  
if Verdict be found  
for the Crown, one  
half the Penalty to  
his Majesty, and the  
other half to the Pro-  
secutor, all prosecutions  
to be in 12  
Months.

VI. *And be it further Enacted*, That all Causes of Trials for Forfeitures and Penalties on a Breach of this Act or any Part thereof, shall and may commence in the Courts of General Quarter Sessions of the Peace, Inferior Court of Common Pleas or Supreme Court at their Stated Sessions and Terms, and that upon Motion a Special Jury shall be called to try the same agreeable to the Form and Manner of calling Special Juries in the Courts of Westminster, and that the Persons claiming or defending the Suit to pay all Costs, if the Jury find a Verdict for the Crown, and the Money arising from such Penalties and Forfeitures after Deducting any extraordinary Expences of Prosecution not taxed against the Defendant, shall be one Half to his Majesty for the Uses and Intents for which the Duties are granted, and the other Half to him or them who shall seize or inform and sue for the same, and that all Prosecutions in pursuance of this Act shall be commenced within the Space of Twelve Months from the Time of the Offence committed.

Witnesses for sup-  
porting Information  
obliged to leave the  
Province before trial  
Judges &c. may (on  
giving notice to the  
Adverse party) take  
deposition which  
shall be admitted  
as Evidence.

VII. *And be it also further Enacted*, That in Case it shall happen that any of the Witnesses for Supporting any Information that may be so brought, are obliged to leave the Province before the Day appointed for the Trial of the Cause, and then and in such Case it shall and may be lawful for any one of the Judges or Justices of the Courts aforementioned upon Notice given to the adverse Party to be present to take the Depositions of the said Witnesses in Writing, which Depositions so taken and subscribed by the Judge or Justices aforesaid, and Witnesses shall be admitted as Evidence to the Jury on Trial.

All Rum &c. liable  
on the 2d Jan. next  
to pay of the se-  
veral duties, in  
manner as if the  
same was only then  
imported, Rum &c.  
found in Custody  
after third Febr. &  
duties thereon not  
paid or Secured,

VIII. *And be it further Enacted*, That all such Rum or other distilled Spirituous Liquors, Molasses, Brown Sugar, Coffee, Chocolate, Wine or Leaf Tobacco, as shall be within this Province, or the Ports, Harbours or the Creeks thereof, on the second Day of January next, shall be subject and liable to the Payment, of the several Rates and Duties herein before specified, in as full and ample a Manner, as if the same was only then imported, and all such enumerated Articles shall immediately be entered, with the Collectors of Impost and Excise, for the District where the same shall then be, and the several Rates and Duties herein before specified shall be immediately paid or secured, to, or with such Collectors, and all such Rum, and other distilled Spi-  
rituous

rituous Liquors, Molaffes, Brown Sugar, Coffee, Chocolate, Wine and Leaf Tobacco, ſhall after the third Day of January next, to be found in the Cuſtody of any Perſon or Perſons whatſoever, within this Province, which have not paid or ſecured the Payment of the Rates and Duties herein before ſpecified to be paid, and each and every of the ſaid enumerated Articles ſhall be liable to be ſeized, condemned and diſtributed in the Manner herein before directed, in Caſes of Seizure made by Virtue of this Law, and the Perſon or Perſons in whoſe Cuſtody any of the ſaid enumerated Articles ſhall be ſo found or who ſhall be aiding or aſſiſting in concealing thereof to avoid Paying any of the ſaid Rates or Duties herein ſpecified, ſhall on Conviction thereof forfeit and pay the Sum of Fifty Pounds each, to be recovered and diſtributed in Manner herein before ſpecified, provided always, that nothing in this Clauſe contained ſhall extend or be conſtrued to extend to any Spirituous Liquors, Molaffes, Wine or Brown Sugar, whereon the Duties made payable by the former Impoſt and Excife Laws of this Province, ſhall have been paid or collected before the ſaid Firſt Day of January next.

IX. *And be it further Enacted,* That if any Quantity or Quantities of the ſaid ſeveral enumerated Articles exceeding the Value of Five Pounds, ſhall after the ſaid third Day of January next, be found in the Cuſtody of any Perſon or Perſons whatſoever within this Province, for Sale, and on which the ſeveral Rates or Duties herein before ſpecified, have not been paid or ſecured, or for which ſuch Perſon or Perſons ſhall not be able to produce a Permit from the Collectors of Impoſt and Excife as herein before ſpecified, or a Certificate from ſuch Collectors, that the ſaid ſeveral Rates or Duties thereon have been paid or ſecured, ſuch Articles ſhall be liable to be ſeized, condemned and diſtributed in the Manner and Form herein before ſpecified, and the Perſon or Perſons in whoſe Cuſtody the ſame ſhall be found, ſhall on Conviction thereof forfeit and pay each the Sum of Ten Pounds to be recovered and diſtributed in Manner aforeſaid. Provided always, that in Caſe ſuch Perſon or Perſons might by any Miſfortune have loſt or miſlaid his, her or their Permit or Certificate upon due Proof of ſuch Caſualty being made on Oath in Writing before ſuch Collector or Collectors, it ſhall and may be lawful for them, to reſtore and give up ſuch Article or Articles as may have been ſeized for want of ſuch Permit or Certificate.

X. *And be it further Enacted,* That the Collectors appointed to receive the ſeveral Rates and Duties payable by this Law, ſhall account for and pay into the Treasury all ſuch Monies as they ſhall receive by Virtue thereof every three Months, and in Caſe of Failure ſhall forfeit

liable to be Seized and condemn'd, Perſons aiding or Aſſiſting in any Clandefline practice, to forfeit on Conviction £50. each. Act not to extend to any L. quors &c whereon duties made payable by former Law.

If any Rum &c. be removed or ſhipped on Board any Ship or Veſſel by ſuch Contractor, &c. without Permit obtained from ſaid Collector, of Rum &c. after iſſued to any of his Majesty's Ships or Officers in the Careening Yard, or ſhall be brought on Shore or out of the Walls of ſaid Yard and offered 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.

Collectors to account with, and pay Quarterly into Treasury all Monies they ſhall receive, on Penalty of £100.

and pay the Sum of One Hundred Pounds to be recovered in Manner aforefaid for the Ufe of this Province.

Act continued for  
One Year.

XI. *And be it further Enacted*, That this Act and every Matter and Thing therein contained, shall continue and be in full Force for One Year to be computed from the faid First Day of January next; Provided nevertheless, that nothing in this Act shall extend or be construed to extend to fuch Veffels, as only come into any Harbour within this Province, and do not enter or break Bulk.

Naval Officer not  
to clear any Veffel  
without Certificate  
from Collectors of  
Matters having  
complied with this  
Act.

XII. *And be it further Enacted*, That the Naval Officer at any Time in the Ports of this Province shall not clear, or give Paffes to the Master of any Ship or Veffel, outward bound until he shall be certified by the Collector or Receiver, or Collectors or Receivers of the Duties or either of them, that the faid Master has complied with the Directions contained in this Act.

Monies to be Ac-  
counted to his Ma-  
jesty in Great Britain  
& audited by the  
auditor General or  
his Deputy.

XIII. *And be it also further Enacted*, That the Monies arising by the Operation of this Act, shall be accounted for, unto his Majesty in the Kingdom of Great-Britain, and to the Commissioners of his Majesty's Treasury or High Treasurer for the Time being, and audited by the Auditor-General of his Majesty's Plantation or his Deputy.

Inferior Courts and  
Sessions of Peace to  
call Special Court  
for Trial of all  
Causes for the  
Recovery of For-  
feitures, Township  
of Halifax excepted.

XIV. *And be it further Enacted*, That except in the Township of Halifax, it shall and may be lawful for the Justices of the Inferior Courts of Common Pleas or Sessions of the Peace, to call a Special Court at any Time between the stated Sessions or Times limited by Law, for holding the faid Courts, for the Trial of all Causes, for Recovering fuch Forfeitures and Penalties, as shall have been incurred on a Breach of the faid feveral Acts, any Law, Usage or Custom to the contrary Notwithstanding.

No Collectors &c.  
to be Traders. Col-  
lectors under Penal-  
ty 500 and Affif-  
tants 200 and being  
dismissed.

XV. *And be it further Enacted*, That no Collector or Receiver of the Duties of Impoft and Excife, or their Affiftants shall be Traders or Dealers in any of the Articles, on which thofe Duties are payable under the Penalties following, that is to fay, the Collectors or Receivers aforefaid, in the Penalties of Five Hundred Pounds each, and the Affiftants to the faid Collectors, in Two Hundred Pounds each, and all fuch Collectors or Receivers of the faid Duties or their Affiftants as shall act contrary hereto, shall be dismissed from their faid Employment.

## C A P. III.

An ACT in Addition to, and Amendment of an Act for continuing the several Laws relating to the Duties on licenced Houses, and for the Appropriation of the Monies raised thereby.

*E*t it Enacted by the Governor, Council and Assembly, That from and after the 31st Day of December, 1784, the  
**B** Clerks or Receivers of the Licence Duties in each County within this Province, shall return a just Account every half Year to the Justices of the General Session of each County or District, except the Town or District of *Halifax*, of the Monies so by him or them collected, and shall pay the same half yearly into the Hands of the County Treasurer; And in Case such Receiver or Receivers shall neglect or refuse to render such Accounts and pay in such Monies as aforesaid, he or they shall forfeit for each & every Offence the Sum of *Twenty Pounds*, to be recovered by the Judgment of such Sessions, and applied to the Purpose of Repairing Roads within such County, and the said Justices by and with the Advice of the Grand Jury for such County are hereby empowered to lay out, and expend such Monies for Repairs of Roads and Bridges within their respective Counties and Districts, and to account with, and receive from the said Clerks or Receivers all Monies now remaining due for Licences heretofore obtained, which have not been paid into the Treasury of this Province, and in Case such Receiver or Receivers shall neglect or refuse to render such Accounts and pay such Monies, he or they shall forfeit and pay the Sum of *Twenty Pounds* for each and every Refusal or Neglect, to be recovered and applied as aforesaid,

II. *And be it further Enacted*; That the Receiver of the Licence Duties within the Town and District of *Halifax*, shall account with the Treasury of the Province half yearly, and shall pay into the Treasury all such Monies as he shall receive, which Monies shall be applied to and for the Purpose of making and repairing Roads within Ten Miles of said Town of *Halifax*; the same to be laid out and expended under the Direction of the Governor, Lieutenant Governor or Commander in Chief for the Time being, and that this Act, and also an Act passed in the Eighth Year of his Majesty's Reign, intituled, "An Act for Suppressing unlicenced Houses and for Granting to his Majesty a Duty on Persons hereafter to be licenced," except such Part thereof as is hereby before altered and amended, shall be and remain in full Force to the Thirty First Day of December, in the Year of our Lord One Thousand Seven Hundred and Eighty-five.

Clerks or Receivers of duties in County (*Halifax* excepted) to return Account half Yearly to the Session of the County and pay the Money collected to the Treasurer of such County.

On Penalty of £20. to be applied for repair of the Roads &c. of such County.

Justices with Grand Jury empowered to expend such Monies for Repairs of Road &c. now remaining due for Licences hereto obtained.

Receiver of Licences duties at *Halifax* to Account with the Treasury half Yearly. And Monies paid therein to be applied on the Roads & within Ten Miles of *Halifax*.

Act to continue to December 31st 1785

Treasurer of every County to account with the Province Treasurer every 12 Months,

on Penalty of £20. Persons intrusted with the Expenditure on the Roads within 10 Miles of *Halifax*, to account with the Province every 6 Months, on Penalty, of £20. and Receiver not accounting with Treasurer as aforesaid to forfeit £50.

Penalties recovered to be laid out on the Roads within 10 Miles of *Halifax*.

III. *And be it further Enacted*, That the Treasurer of each and every County or District within this Province, shall render an Account of the Monies received within such County or District, and in the Manner in which the same has been applied to the Treasurer of this Province, every Twelve Months, under the Penalty of Twenty Pounds, and the Person or Persons who the Governor, Lieutenant Governor or Commander in Chief shall from Time to Time intrust with the Expenditure of said Money on the Roads within Ten of Miles of *Halifax*, shall account every Six Months for the same with the Treasurer of this Province, under the Penalty of Twenty Pounds, and in Case the Receiver of the Licence Duties for the District of *Halifax*, shall neglect to account as aforesaid, and pay in the Monies by him received, he shall forfeit and pay the Sum of *Fifty Pounds* for every Offence, such Penalties to be recovered before his Majesty's Supreme Court at *Halifax*, and to be applied to the Repairs of the Roads within Ten Miles of the said Town.

## C A P. IV.

### An ACT for continuing the several Acts herein after mentioned.

Preamble.

\*\*\*\*\* *HERE AS* the several Acts herein mentioned, will expire  
 \* *W* \* at the End of the present Session of the General Assembly, and  
 \* \* that it is necessary the same be continued.  
 \*\*\*\*\*

The several Acts contained in this Act continued to 31<sup>st</sup> December, 1785.

I. *Be it Enacted by the Governor, Council and Assembly*, That an Act made in the Sixth Year of his present Majesty's Reign, Intituled, "An Act to prevent the Multiplicity of Lawfuits;" also an Act made in the Fifth Year of his said Majesty's Reign, Intituled, "An Act for the Summary Trial of Action;" and also an Act made in the Eleventh Year of his said Majesty's Reign in Amendment of the said Act; Also an Act made in the Fourteenth Year of his Majesty's Reign in Addition to the said Act; and an Act made in the Fifteenth Year of his said Majesty's Reign in further Amendment of, and in Addition to said Act, also an Act made in the same Year, Intituled, "An Act in further Amendment of the several Laws relative to the Summary Trial of Actions;" Also an Act made in Sixth Year of his said Majesty's Reign, intituled, "An Act for the Establishment of Fees as regulated by the Governor and Council at the Request of the House of Assembly;" Also an Act in Addition to said Act made in the Eleventh Year of his said Majesty's Reign; Also an Act made in the Fourteenth Year of said Majesty's Reign, in further Addition to and for continuing the said Acts; Also an Act made in the Twenty Second Year of his said Majesty's Reign, intituled, "An Act to raise

a Sum of Money towards keeping in Repair the Roads leading from Halifax to Windsor, and the District of Colchester;" Also an Act made in the Twenty-Third Year of his said Majesty's Reign, intituled, "An Act in Amendment of and for continuing an Act made in the last Session of the General Assembly of this Province, intituled, An Act to raise a Sum of Money towards keeping in Repair the Roads leading from Halifax to Windsor and the District of Colchester," shall be and continue, and the same are hereby continued in full Force unto the Thirty-First Day of December in the Year of Our Lord, One Thousand Seven Hundred and Eighty-Five.

## C A P. V.

An ACT to exempt all Molasses, Rum and other distilled Spirituous Liquors imported in to this Province, or purchased for the Use of his Majesty's Careening Yard or Navy, from paying the several Impost Duties imposed thereon by the Laws of this Province.

*W* **HEREAS** his Most Gracious Majesty has been pleased to recommend, that all Molasses, Rum and other distilled Spirituous Liquors imported into this Province, or purchased therein for the Use of his Careening Yard or Navy, should be exempted and free from the several Duties laid or imposed thereon from Time to Time, by the Laws of this Province, and we being ever willing readily and chearfully to comply with the Wishes of our Most Gracious Sovereign, in Conformity thereto :

Preamble:

I. *Be it Enacted by the Governor, Council and Assembly,* That from and after the First Day of January next, if it shall or may be necessary for the Storekeeper of his Majesty's Careening Yard, or for the Contractor for Supplying his Majesty's Navy, to import into this Province, for the Use of the said Yard or Navy, any Molasses, Rum or other distilled Spirituous Liquors, it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief for the Time being, by and with the Advice of his Majesty's Council, to order the Collector of Impost and Excise for the District where such Importation shall be made, to grant a Permit for such Rum or other Spirituous Liquors to be landed and stored, free and clear of all Duties or other Rates and Charges imposed thereon by the several Laws of this Province, which Order the said Collectors of Impost and Excise are bound to obey, Provided always, that before such Order shall be given, the Naval Storekeeper, if such Importation shall be made for the Use of

If necessary for Naval Storekeeper or Contractor, &c. of his Majesty's Navy to import for the Use of the Careening Yard or Navy any Molasses or Spirituous Liquors, the Governor with Advice of Council to order Collectors to grant Permits for such Spirituous Liquors to be landed, clear of all Duties.

Provided if such Importation be for

the Use of the Navy, ſuch Storekeeper, Contractor, &c. ſhall produce from the Commiſſioner or Commanding Officer of the Navy, a Certificate that the ſame was for ſuch Uſe.

his Majesty's Careening Yard, or the Contractor for his Majesty's Navy his or her Agent, if ſuch Importation ſhall be made for the Uſe thereof, ſhall produce a Certificate under the Hand of the Commiſſioner of the ſaid Yard or of the Commander in Chief for the Time being of his Majesty's Navy on the Nova-ſcotia Station, of the Quantity of Molasses, Rum or other diſtilled Spirits ſo imported, and that the ſame was abſolutely neceſſary for the Uſe of the ſaid Careening Yard or Navy.

If it ſhall be neceſſary for ſaid Storekeeper &c. to purchaſe any Molasses or Spirituous Liquors for the Uſes aforeſaid, on which Duties are paid or ſecured, ſuch Storekeeper &c. making Declaration and producing Certificate as directed by the 8th and 9th Sec. of the Act for raiſing a Duty of Excise on Wines, &c. & alſo Collectors Certificate of Amount of Duties paid or ſecured on ſuch Molasses, &c. then the Governor, &c. to direct the Treasurer to pay to the Perſon from whom Purchaſe was made Amount of Duties by him paid or ſecured.

II. *And be it further Enabled,* That if it ſhall or may be neceſſary for the ſaid Naval Storekeeper, Contractor or his or her Agent, to purchaſe any Molasses, Rum or other diſtilled Spirits from any Perſon or Perſons within this Province, for the Uſes as aforeſaid, on which any Rates or Duties have been paid or ſecured by Virtue of the Laws of this Province on ſuch Naval Storekeeper, Contractor, his or her Agent, making the Declarations and producing the Certificates directed in and by the Eighth and Ninth Section of an Act made this preſent Session, intituled, "An Act for raiſing a Duty of Excise on Wines, Rum, &c. and for preventing Frauds in the Revenue," as alſo a Certificate from the Collectors of Impoſt and Excise of the Amount of the Duty paid or ſecured to be paid on the Molasses, Rum or other diſtilled Spirits ſo to be purchaſed for the Uſes aforeſaid; it ſhall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the Time being, with the Advice of his Majesty's Council, to direct an Order to the Treasurer of this Province, (which Order ſuch Treasurer ſhall be bound to obey) to pay over to the Perſon or Perſons from whom ſuch Purchaſe ſhall be paid, the Amount of the Rates or Duties ſo by him or them paid, and in Caſe ſuch Rates and Duties ſhall only be ſecured to be paid, then to give Credit on the Bond or Security taken for the ſame for the Amount thereof.

III. *And be it further Enabled,* That this Act and every Matter and Thing therein contained, ſhall continue and be in full Force and Virtue until the Firſt Day of January, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-Six.

Act to continue 'till the 1st Jan. 1786.