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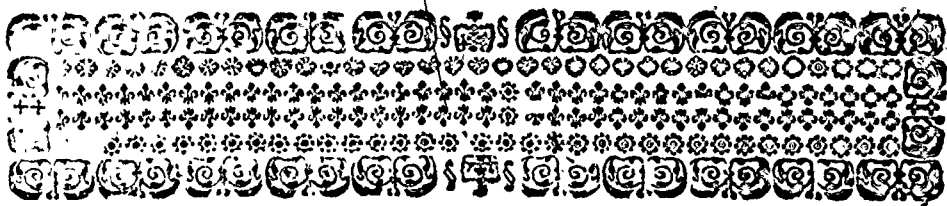
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At the GENERAL-ASSEMBLY of the Province of *Nova-Scotia* begun and holden at *Halifax*, on Tuesday the *28th* of *May* 1765 in the *Fifth* Year of His Majesty's Reign.

*5th Geo.*



An Act for the Choice of *Town Officers* and *Regulating* of *Townships*.

Whereas the method of nominating the respective *Town Officers* herein after mentioned by the *Grand Jurors* for the several Counties, as directed by the Laws of this Province, is found inconvenient.

*Cap. 1*

*E* it enacted, by the Governor, Council, and Assembly, That the *Grand Jurors* for the several Counties in this Province, at the *Court of General Sessions of the Peace* for each County respectively next ensuing the Publication of this Act, and hereafter annually at the *First Sessions* of the said Court, shall nominate out of every *Township* in the said County, Ten fit Persons, out

of whom the said Court shall appoint five to be Surveyors of Lines and Pounds of each Respective Township, who are hereby impowered to survey, examine, and ascertain the Lines and Bounds of their said respective Townships, agreeable to the several Grants thereof; and who shall also be Overseers of the poor of said Township, and at the same Time the said *Grand Jury* shall in like manner nominate two Persons, one of whom the Court shall appoint to be Town Clerk of the said Town, who shall be sworn truly to enter, and Record all such Matters and Things, as shall relate to the said Township, and shall appertain to his Office; and shall also nominate *four* or more *Constables*, of whom the Court shall appoint two or more as they shall see convenient to be *Constables* in the said Township; and also shall nominate *Four Surveyors of Highways*, of whom the said Court shall appoint two to be *Surveyors of Highways* in the said Township; and shall also nominate *Four Fence Viewers* of whom the said Court shall appoint two to be *Fence Viewers* in the said Township, and shall also nominate *Two Clerks of the Market* of whom the said Court shall appoint one to be *Clerk of the Market* in said Township; and shall also nominate *Four Pound Keepers* of whom the said Court shall appoint a sufficient Number in their Discretion to be *Pound Keepers* in the said Township; and shall also nominate *Four or more Cullers and Surveyors of Fish* of whom the said Court shall appoint a sufficient number in their Discretion to be *Cullers and Surveyors of Fish* in the said Township; and shall also nominate *Four Surveyors of Lumber and Cord Wood*, of whom the said Court shall appoint two to be *Surveyors of Lumber and Cord Wood* in the said Township; and shall also nominate *Two Sealers of Leather*, of whom the said Court shall appoint one to be *Sealer of Leather* in the said Township; and shall also nominate *Four Gaugers of Casks*, of whom the said Court shall appoint two to be *Gaugers of Casks* in the said Township; and shall also nominate *Four Hogreaves*, of whom the said Court shall appoint two to be *Hogreaves* in the said Township; who shall respectively be sworn to the faithful discharge of their Duty in manner as is already prescribed, by the Laws of this Province, and shall in every respect

respect conform to the said Laws, and upon their, or any of their Refusal to accept, or being guilty of any Neglect, or Misbehaviour in the Execution of the Duty of their respective offices, they shall forfeit and pay for the Use of the Poor of the said Township, the Sum of *Forty Shillings* for every such Refusal, Neglect or Misbehaviour, to be recover'd upon proof of such Refusal, Neglect or Misbehaviour by the oath of one Credible Witness before any *Two* of his *Majesty's Justices of the Peace*, for the County, wherein such Township lies, to be levied by Warrant of Distress, and Sale of the Offenders Goods and Chattles, any Law, Usage, or Custom to the contrary notwithstanding, and if any Person so nominated and chosen, shall leave the Province, change the Town of his Residence, or happen to die within the Period, for which he was nominated and appointed to serve in any of the said Offices in such Case, any *Two* of his *Majesty's Justices of the Peace* for the County, shall and may nominate and appoint a fit Person or Persons, to serve in such Vacant office, until another shall be nominated by the *Grand Jury*, and appointed by the said *Court of General Sessions*, at their meeting next ensuing such Vacancy.

*Provided always*, that Nothing in this Act contained shall Extend, or be construed to Extend to restrain any privileges, that may hereafter be granted by any Charter of Incorporation to any Town or Towns within this Province,

*And for the better Regulating the several Townships in this Province.*

*Be it enacted*, That the original Boundary Lines of each and every Township or District within this Province, shall be run betwixt Township and Township, and marks renewed once in *Three Years*, viz. on the *First Monday* in *March* by the Surveyors of Lines and Bounds appointed for the respective Townships, as directed by this Act or the Major part of them, and the Persons so appointed for each respective Township are hereby empower'd and directed to give *Six Days* notice to the Persons appointed for the adjacent Townships,  
of

of the Time and Place of Meeting for such Survey, and any Person or Persons appointed as aforesaid, refusing or neglecting to attend at the Place mentioned in such Notice, being duly served therewith shall forfeit and pay the Sum of *Forty Shillings*, each to be recover'd on Complaint before any two of his *Majesty's Justices* for the County, where such Complaint shall be made, and one half of the said Forfeiture, shall be paid to the Person or Persons, who shall Complain and prosecute for the same, and the other half to the Overseers of the Poor for the use of the Poor of such Towns, from whence the Complaint was made, and whenever the Surveyors of any Township, which shall have had Notice as aforesaid, shall refuse or neglect to attend the said Business, the Surveyors who shall have given such notice shall, and they are hereby empower'd to proceed in running and marking such line, which shall be as effectually as if the Surveyors of both Townships had join'd.

*And be it further enacted*, That each and every Proprietor of Lands laying unfenced, or in any Common Field, shall once in *Two Years* on *Six Days* notice given him, his Agent, or Attorney by the next Proprietor or Proprietors adjoining, run the lines make and keep up the Boundaries of such Lands or Common Field by stones or other sufficient marks, and every party so neglecting or refusing, shall forfeit the Sum of *Twenty Shillings*, one half of which shall be to the party complaining, and the other half to the Overseers of the poor for the Use of the Poor of said Township, and to be heard and determined before any one of his *Majesty's Justices of the Peace* within the same County, and the Proprietors of any Field held in Common, whether divided or undivided shall, and they are hereby empower'd to order, improve and fence in such way or manner, as shall be Concluded and agreed upon by the major part of the interested therein, the Voices to be collected and accounted according to their Respective interests, and if any person shall refuse to make, keep up, support, and maintain his *Quota* part or Proportion of such Fence so agreed on to be made, and shall on notice given him for that Purpose by any one of the Proprietors concern'd with him in the said common Field, neglect the same for the space of *Thirty Days*, the *Fence Viewers* shall on Application being made to him, make and set up the deficient Fence, or repair any Fence already made, if in his judgment the same is insufficient, and the Person or Persons, that of Right ought

ought to build and maintain the same, shall pay double the Costs and Charges expended for the doing thereof, and in case of Refusal, such *Fence Viewers* may recover the same before the *Inferior Court of Common Pleas* or before one or two *Justices* according to the value thereof; and the said *Fence Viewers*, shall be allowed three *Shillings per Day* for his own trouble, and Time expended therein.

And if any Person or Person, shall neglect or refuse to comply with any Regulations made by the Proprietors of any common Field as aforesaid, which Regulation shall be made annually, he or they shall forfeit and pay the Sum of *Ten Shillings* for the use of the Poor of the Town where such common Field shall lie, to be Recover'd by the oath of one Credible Witness before any one of his Majesty's *Justices of the Peace*, for the County wherein such Lands are, to be levied by distress and sale of the Offenders Goods and Chattles, and shall moreover make Satisfaction for all damages, that may have arisen by such Neglect or refusal.

*And whereas many inconveniencies have arisen for want of Cattle being branded or otherways mark'd, that run in Common.*

*Be it enacted*, That all and every owner of any horse or horses, neat Cattle, Sheep or Swine; shall brand or otherways mark such horse or horses, neat Cattle, Sheep or Swine, in such manner as that the same may be clearly known, and shall enter such mark or brand with the Town Clerk in a Book to be kept by him for that purpose, and the said Town Clerk shall receive for Recording the said mark or brand the Sum of *Six Pence*.

*Published According to Law the 18th Day of June 1765.*



An Act in Addition to and Amendment of an Act, made and pass'd in the *First Year* of His Majesty's Reign, intituled, *An Act for repairing and mending Highways, Roads, Bridges, and Sreets, and for appointing Surveyors of Highways, within the several Townships in this Province.*

*Cap. 2.* **BE** it enacted by the Governor, Council, and Assembly, That where a new Highway or Common Road, from Town to Town, or Place to Place in any County in this Province shall be wanting, and where old Ways with more conveniency may be turned or altered; upon Application made to the Justices in *General-Sessions* within the same County, the Court is hereby impowred to appoint *two* or *three* sufficient Freeholders of the next Towns, who shall have most Occasion of the said Way, to enquire into the Necessity, and Conveniency thereof, and to make their Report thereon, and being judged to be of common Necessity or Conveniency, the Justices shall order a Warrant to the Provost-Marshal or his Deputy to summon a Jury out of the next Towns, to meet at some convenient Day and Place therein mentioned, to view and lay out such Highway or Roads, who shall have an Oath administer'd to them by a Justice of the Peace, to lay out such Way, according to the best of their Skill and Judgment, with most Conveniency to the Public, and least Prejudice or Damage to any particular Person; which having done, the Provost-Marshal or his Deputy is to make a Return thereof on the Day appointed by the Court, as well under his own, as the Hands of the Jurors, by whose Oath the same is laid out, to the End the same may be allowed of and recorded, and after known for a public Highway, and all public Highways hereafter to be laid out as aforesaid, shall not be less than One Hundred Feet wide,

*Provided*

*Provided, always, and be it enacted,* That before such *Road* or *Highway* is allowed and recorded for a public *Highway*, the Court shall cause Notice to be given thereof for the Space of *Thirty Days* to the Inrent, that if any Person shall think himself aggrieved thereby, he may make his Complaint thereof, and Inquiry be made into the Cause of such Complaint

*And be it further enacted,* That the Surveyor of the *Highways* of each Town respectively, be and are hereby empowered to lay out particular and private *Ways* either open or pent, with Swing-Gates ( for such Town only ) as shall be thought necessary by the Justices of the Peace in their *General Sessions*, upon Application made to them by the Persons concerned; *Provided*, that no Damage be done to any particular Person in his Land or Property, without due Recompence to be made by the Town, as the Surveyors of the *Highways*, and the Party interested may agree, or as shall be ordered by the justices in *General Sessions*, upon Inquiry into the same by a Jury, to be summoned for that Purpose.

*And be it also further enacted,* That if any Person or Persons, shall alter any public *Road* or *Highway*, or any private *Road*, that shall be laid out as aforesaid, or that shall make any Encroachment upon the same, not being first authorized, so to do by due Course of Law; such Persons shall upon Complaint and due proof thereof made before the Court of *General Sessions*, of the Peace for the County, where such *Highway* lay before it was so altered or encroached upon forfeit *Five Pounds* to be levied by distress and Sale of the Offenders Goods and Chattles, by Warrant of the Court, who shall hear the said Complaint, and all Forfeitures so to be levied, and shall be paid to the Surveyors of the *Highway* of the Township, from whence the Fine was levied, to be applied for Repairing *Highways*, *Roads*, *Streets* and *Bridges*, within the same.

*And whereas* in and by the Act made and passed by the *General Assembly* of this Province, in the *First* Year of his Majesty's Reign, Intituled, an Act for Repairing and mending " *Highways*, *Roads*, " *Bridges* and *Streets*, and for appointing Surveyors of *Highways* within " the several Townships in this Province, it is among other things enacted, That



“ That the Constables of the several Townships in this Province shall in Writing ( making an equal Division ) set out to the Surveyors of Highways the several Roads, Highways and Streets, on which each of them shall Respectively Labour, and deliver also a List signed by them of such Persons, as shall live within the District, wherein such Highways, Roads, or Streets are allotted, to each of them, to be employed by them respectively, and who accordingly shall be reputed to be the Person obliged by the said Act to Labour.”

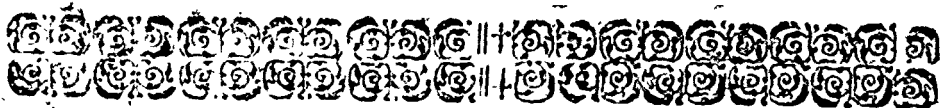
And whereas it is thought most proper, that the Surveyors of the Highways, should themselves set out the several Roads, Highways and Streets, which require Repair.

Be it therefore Enacted, That the Constables of the several Townships in this Province shall make out a List of all such Persons who are Owners of Teams, Carts, or Trucks, as also of every other Householder and Labourer within their respective Townships, and Deliver the same to the Surveyors of Highways, and at such Time, as the said Surveyors shall judge proper, between the Days prescribed by the afore recited Act the said Constables, shall Summon so many of the Persons contained in said Lists, as the Surveyors shall direct from Time to Time.

And be it also enacted, That all Persons able of Body between the Age of Sixteen Years and Sixty shall be oblig'd to Labour at the said Roads, Highways, Streets and Bridges, or procure or pay a proper Person for the same.

Published according to Law the 18th Day of June 1765.





An Act for empowering the Justices of the Peace for the County of Halifax, to hold a Court of Special Sessions of the Peace at Windsor in said County, for the Townships of Windsor, Onslow, and Truro.

WHEREAS the great Extent of the County of Halifax, and the Distance between the Town of Halifax, and the Townships of Windsor, Onslow, and Truro, makes the Attendance of Persons Resident in those Townships; at the General Sessions of the Peace, held for the said County at Halifax, very Inconvenient.

Cap. 2

BE it enacted, by the Governor, Council and Assembly, That there shall be held and kept within the Township of Windsor, in the County of Halifax, in every Year, on the last Tuesday of June, and the second Tuesday of October, a Special Court of General-Sessions of the Peace, and any three or more of the Justices for the County of Halifax, one whereof to be of the Quorum, shall and may hold the said Court, and such Court shall have, hold, use, exercise and enjoy all and singular the Powers, which are by Law already given and granted unto Courts of General Sessions of the Peace, so far as relates to all such Matters and Things arisen, or which shall arise within the said Townships of Windsor, Onslow, and Truro.

Publis'd according to Law, the 18th Day of June, 1763.



An

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

Cap. 4.

WHEREAS in the last Clause of an Act made and pass'd by the GENERAL-ASSEMBLY of this Province, in the Third Year of his Majesty's Reign, Intituled, an Act in addition to, and Amendment of an Act, for the appointing Commissioners of Sewers, "IT IS ENACTED, That if any Proprietor or Proprietors of the Lands dyked in or drain'd, are absent, and no Person appearing in their behalf, and have not any Goods or Chatties 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 the by the produce of the same, any such Dividend or Proportion of the Sum so Due."

But no Provision is made, to Collect from any Proprietor or Proprietors being present, and not having any Goods or Chatties to answer his, her, or their Dividend or Proportion of any Assessment, made in Virtue of the before-mention'd Act.

**E** it Enacted by the Governor, Council and Assembly, That any Proprietor or Proprietors of any Lands Dyked in, or Drain'd, as directed in and by the before-mentioned Act, being present and not having any goods or Chatties, to answer his, her, or their Dividend or Proportion of any Assessment made by Commissioners of Sewers according to Law, 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.

*Provided*

*Provided always,* That if any Proprietor or Proprietors of Lands, let out as aforesaid, shall think himself or herself aggrieved by the proceeding of any Justices of the Peace, in letting out his, her or their Lands as aforesaid, such Proprietor or Proprietors by themselves or their Attornies or Agents, may Complain to the Justices in their General Sessions of the Peace for said County for Relieif therein.

*Enacted According to Law, the 18th Day of June 1765.*

*An Act to enable the Inhabitants in the several Townships in this Province, (HALIFAX excepted) to cause any absent Proprietor of Lands within the same, to pay a Dividend or Proportion of any County or Town Charge to be assessed according to Law, and to bear their just Proportion in repairing Highways, Roads, and Bridges within the said Townships respectively.*

*WHEREAS there are many Non-resident Proprietors of Lands within this Province, whose Lands are enhanced in their value by the Labour of those who are present, and the Burthen of the necessary County and Town Charges being heavy on the resident Proprietors.*

*Cap. 5.*

*BE it enacted, by the Governor Council and Assembly,* That each and every non-Resident Proprietor or Proprietors of Lands in any Township within this Province, (the Township of *Halifax* excepted, ) shall pay or Cause to be paid, his, her, or their just Dividend, or Proportion, of all County and Town Charges hereafter to be assess'd in such County and Township, and upon Failure thereof, the same to be recover'd as directed by the Laws, empowering such Assessment, and each and every non-Resident Proprietor or Proprietors of Lands in any Township, shall be obliged to do and perform his,

her, or their Parts or Proportion of Labour on the *Highways, Roads, and Bridges*, within their Respective Townships, or pay for the same as Delinquent Inhabitants are by law directed.

*And be it also enacted*, That if any Proprietor or Proprietors of Lands in any Townships as aforesaid, shall be absent, and no Person appearing in their Behalf, on publick Notice being given in the *HALIFAX Gazette*, to pay his, her, or their Dividend or Proportion of any Assessment made in Virtue of any Law of this Province, and to Labour on the *Highways, Roads and Bridges*, as aforesaid, and not having any Goods and Chattels, to answer his, her, or their Dividend, or Proportion of any Charge made as aforesaid, it shall and may be lawful for any one of his Majesty's Justices of the Peace, who are hereby impower'd to let out any part of such Delinquents Lands, as may be sufficient to pay by the produce of the same, any such Dividend, Proportion or Charge so due; and in Case the Lands of such Absence, should not for the present, produce sufficient to pay the *Quota* of his, her, or their Proportion, of such Assessment, that then the *Lands* of such Delinquent shall be held Chargeable therewith.

*Provided always*, That if any Proprietor or Proprietors of Lands, let out and held as aforesaid, shall think himself or herself aggrieved, by the proceeding of any Justice of the Peace, in letting out his, her or their Lands as aforesaid, such Proprietor or Proprietors by themselves, or their Attorneys, may Complain to the Justices in their *General Sessions of the Peace*, for said County, for Relief therein.

*Published according to Law, the 18th Day of June 1765.*



An

An Act for the Raising Money by presentment on  
the several Counties in this Province, for the  
Defraying Certain County Charges therein men-  
tion'd.

*E*t enacted by the Governor, Council, and *Cap. b.*  
*A*ssembly, That from and after the Publication hereof,  
*B* it shall and may be lawfull, for the several *Grand Ju-*  
*ries* in each of the several Counties in this Province;  
either at the Court of *Affize*, or *General Sessions of the*  
*Peace* held for such County, to present annually a proper and fit Person;  
*one* of the Freeholders of said County, to be a Treasurer for said County  
for the Year ensuing, and such Person being approved of, by the Court  
shall be Sworn to the due Execution of his Office, and Invested with all  
the powers and Trusts, as herein after Directed.

*And be it further enacted*, That it shall and may be  
lawfull for the several *Grand Juries* in each of the several Counties  
within this Province, either at the Court of *Affizes* or *General Sessions of*  
*the Peace*, held for such County, to make presentment upon proper Re-  
presentations made thereon, by *three* or more Freeholders of the said  
County, or of their own Knowledge, of all such Sum and Sums of Mo-  
ney or Expences, that may be found to have arisen, or that may be ab-  
solutely necessary to be Rais'd for the Building or Repairing a County  
Goal, or for the Building or Repairing a Court or *Session House*, erec-  
ting Stocks, Pillories, or Pounds, and providing Bolts and Shackles, as  
also for the Conveying of Persons accused of any Treason or Felony, to the  
County Goal, being *Three Miles* distance or upwards, so as the same do  
not exceed *Six pence per Mile*; as likewise for the Support of poor Cri-  
minals in Goal.

*And be it also further enacted* That all Money so  
Rais'd

Rais'd by presentment as aforesaid, and levied from off the Inhabitants of the several Counties, shall be paid into the hands of the County Treasurer, and shall not be applied to any other use, than such for which the same was Rais'd; and if any Person or Persons who shall be appointed in the said presentment and order thereon, to be the Director or Directors, Overseer or Overseers of the Work, or the Distributor or Distributors of the Money hereby Rais'd, for which such presentment was made, shall not at the next *General Assizes* or *General Sessions* of the County, or in a Reasonable Time to be by them appointed, make appear in his, or their Account or Accounts, with good Vouchers, that the Money so Rais'd and Receiv'd by him or them, shall have been expended pursuant to said Presentment to the use of the County, he or they shall still be Chargeable with the same, and every Person so accountable for any Publick Money, shall when required by the Justices at their *General Sessions* or by the *Judges of Assize* at their *General Goal Delivery*, make up their Accounts on Oath, and if such Accountants shall neglect to make a fair and just Account of all such Publick Money, or shall upon such Accounts be found to have such Money or any part thereof remaining in his, or their hands, such Accountants shall forthwith pay such Money into the Hands of such Persons, as shall by such *Grand Jury* and *Justices of the Peace* or *Judges of Assize*, be presented, and ordered for the use of such County, where such publick Money shall be Rais'd, and in Default thereof, such Person or Persons so accountable, shall by the *Justices* at their said *Sessions* or *Judges of Assize* at their Respective *Assizes* be Committed to the Common Goal, in Execution, untill such Account shall be made and Ballance paid, or sufficient Sureties given for the same.

*Provided, always, and be it enacted*, That no presentment for the Raising Money as aforesaid, shall be confirmed by the *Judges of Assize* or the *Justices in General Sessions*, until the last day of the sitting of said *Court of Assize* or *General Sessions of the Peace*, and such presentment so made shall be posted up in the Court House from the time of its being made till the same is confirmed, to the End, that all Persons concern'd may have Notice thereof, and Object against and Traverse the same, if they see Convenient.

*And be it further enacted*, That it shall be lawful

ful, for the several *Grand Juries* in each County in this Province, at the *Affizes* and at the *General Sessions of the Peace* to make presentment if they think fit; and for the *Judges* and *Justices* to Confirm the same, for the Raising any Sum not exceeding *Ten Pounds per Annum*, to be paid to the Treasurer of each County for his Services in that Station, and also that it shall and may lawfull, for said *Grand Juries* to present *three* or more good and sufficient Freeholders for every Township in said County, to be Assessors for said Township, who are to be approved of by the Court, and are to be Sworn by the said Court, or before any one of his Majesty's Justices of the Peace, to the due and faithful Execution of the Office to which they are appointed, and that without Favour or Affection, Hatred or Malice, to the best of their Skill and Knowledge, and in case any Person, who may be appointed as Assessor as aforesaid, and shall Refuse to accept the said Office, another Person shall immediately be appointed in his stead by the Court, or by any two of his Majesty's Justices of the Peace, and the Person so Refusing shall Forfeit the Sum of *Forty Shillings*, to be Recover'd by Bill Plaint or Information in any of his Majesty's Courts of Record, or before any *two* of his Majesty's Justices, and be paid to the Treasurer of the County, for the Use of the County, wherein such Assessor was appointed.

*And be it also further enacted*, That the *Judges of Assize* or *Justices in General Sessions* for Each County, shall agree and determine each Respective Towns Proportion of the Sum so presented and Confirmed by the Court, and the Sum so proportion'd, shall be assessed on the Inhabitants in Each Township, in the Justest and most Equal manner they can devise, and the same shall be levied by the Constables of the said Townships Respectively, by Warrant under the hand and Seal of any *two* of his Majesty's *Justices of the Peace* for the said County, and in Case of Refusal, by Distress and Sale of the Goods and Chattles of the Persons Refusing or Neglecting to pay the Sums Assessed on them as aforesaid, with the Charge of such Distress and Sale, returning the Overplus if any; and in case any Person or Persons shall think themselves aggriev'd by such Assessment or Levying thereof, they shall be at Liberty to appeal to the next *General Sessions* held for the County who are finally to determine the same; and the Money when so Levied, shall



shall be paid into the Hands of the County Treasurer, who is to pay the same to the Persons, as directed in the Presentment.

*And be it enacted,* That the Treasurer in each County, shall make up his Accounts upon Oath of all his Receipts and Payments, at every Court of *Assize* or *General Sessions* held for said County, to be approved or disapproved by said Courts; and the same shall be filed in the Office of the Clerk of the Peace for said County, and no Treasurer or other Person or Persons concerned; is to compound for any Money to be Rais'd on said County, nor make any deduction whatsoever for any Sum he, or they shall pay to any Person or Persons, but such as he or they shall Account for by proper Vouchers; and if any Treasurer shall Offend herein, or Neglect to make up his Account as aforesaid, he shall forever be incapable to serve as Treasurer again, and be Committed to Goal without Bail or main Prize, until he fairly Accounts with the Court of *Assize* or *General Sessions of the Peace* held for such Town or County, and from the said Court to Receive a Certificate of his having paid his Account to their Approbation.

*Publis'd according to Law, the 18th Day of June, 1765.*



### *An Act for Regulating Servants.*

*cap. 7.* WHEREAS great Damage and Inconveniencies have arisen, and Daily do arise by Apprentices and Bound and Hired Servants, Deserting and leaving their Service without a Legal Discharge; for Prevention whereof.

*Be it Enacted by the Governor, Council and Assembly,* That from and after the publication hereof, all Servants Bound by Indenture, or Hired Servants, for any Time not less than Six Months, at the Expiration of the Term for which they were Bound or Hired to Serve, shall have from their Master or Mistress a Certificate

Certificate or Discharge of such Servants having serv'd his or her Time, which shall be a sufficient Warrant for any Person to entertain or take such Servant into his or her Service, and the Person hiring such Servant, shall take his or her Certificate or Discharge, and keep it untill the Time ther Contracted for, be expired, and if any Person shall knowingly take into his or her Service, (or knowingly Harbour or Entertain) any Person, who has been in any former Service, without such Certificate or Discharge, such Person being thereof convicted at the *General Sessions of the Peace* held for the County or Place, where such Offence shall be Committed, shall Forfeit *Ten Pounds* to be levied by Distress and Sale of the Offenders Goods and Chattles, by warrant from such *General Sessions*, one Moiety of which Forfeiture, shall be to the Poor of the Township where the Offender resides, and the other Moiety to the informer who, shall Discover and prosecute the same.

*Provided always*, That in case any Person shall Refuse to give his or her Servant a Certificate or Discharge as aforesaid, such Servant may apply to some Neighbouring *Justice of the Peace* of the County wherein such Master or Mistress inhabits, who shall give Notice to the Master or Mistress of such Servant, and Require from them respectively the Reason, why such Servant is Refused such Discharge and Certificate of his or her Service; and in case no Regard be paid to such Notice within *Five Days*, or that the Justice shall sooner by a Reply to such Notice, find that the cause of the Refusal of such Discharge or Certificate was not sufficient, the said Justice is Required to give a Certificate thereof, or of such Reasons as the Master or Mistress gave for Refusing such Discharge or Certificate, that such Person who is about to hire such Servant, may be apprized of such Servants Behaviour, and Judge thereof before he or she hires such Servant, for which Certificate no Fee shall be paid, and the said Certificate shall be as good as if the same had been given by such Master or Mistress, and any Servant who shall be convicted of counterfeiting or producing a Counterfeited Certificate, under the Hand of any Master or Mistress, or *Justice of the Peace*, by the Oath of one or more Witnesses, or by such Servants own Confession, before one of His Majesty's *Justices of the Peace*, shall be publicly Whipp'd at the Discretion of such *Justices*.

*And be it further enacted*, That all Bound or Hired Ser-

vants at aforesaid, who shall Desert or absent themselves from their Master or Mistress's Service, shall be liable to make Satisfaction by Service, after the Time by Indenture or agreement is expired, Double their Time of Service so neglected, and if the Time of their Desertion or absence was at Seed Time or Harvest, or During the Fishing Season, and the Charge of Recovering them, Extraordinary, the Court of *General Sessions of the Peace*, before whom the Complaint shall be made, shall adjudge a longer Time of Service proportionable to the Damages the Master shall make appear he hath Sustained.

*And Whereas the adjudging the Time such Bound or Hired Servant should Serve is often retarded until the Time by Indenture or Agreement is Expired, when the measure of such further Service may be Rendered Difficult to ascertain.*

**Be it enacted,** That the Master or Mistress of any Servant so Deserting or Absenting themselves, that Intends to take the Benefit of this Act, shall so soon as he or she hath Recover'd such Servant, carry him or her to some one of his Majesty's *Justices of the Peace*, and there declare and prove the time of his or her Absence, and the Charge he hath been at in his or her recovery, which Justice thereupon shall Grant his Certificate thereof, and the Court shall and may on such Certificate, put its Judgment for the Time such Servants so Deserting or Absenting themselves, shall serve for his or her Absence.

*And be it also enacted,* That every Master or Mistress shall provide for his, or her Servant according to the Tenor of their Agreement, and any Bound or Hired Servant as aforesaid, having just cause of Complaint against his or her Master or Mistress, for Cruel and Bad Usage, may and shall on Application to two of his Majesty's *Justices of Peace*, be heard concerning the same. *Provided* such Complaint be made within a Reasonable Time, not exceeding *Ten Days* after the cause given, unless such Servant is prevented by his or her Master or Mistress or by Sickness, and if the said Justices shall find by sufficient Proof, that the said Servants cause of complaint is well founded, the said Justices are hereby Requir'd to make an order for the Relief of such Servant by Discharging him or her from their Service or otherwise, as they may see fit, and

And if either party shall not be satisfied with the order of the said two Justices, they may appeal to the next Court of General Session of the Peace, where the matter shall be finally Determined

And be it also further enacted, That no Master of any private Ship or Vessel of War, or Master of any Merchant Ship or Vessel, coming into, tarrying or abiding in or going forth from any Port, Harbour, or Place within this Province, shall Receive, Harbour, Entertain, Conceal or Secure on Board such Ship or Vessel, or suffer to be there harbour'd or detained, any Bound or Hired Servant as aforesaid, knowing them to be such, without Licence or Consent of his or her Master or Mistres in Writing, under his or her Hand, first had and obtain'd, on Pain of Forfeiting Ten Pounds for every such Offence, which Forfeiture shall be applied and disposed of, as is directed in, and by the first Clause of this Act, and shall and may be Recover'd by Bill, Plaint or Information in any of his Majesty's Courts of Record in this Province.

“ And whereas it often happen's, That Indented apprentices or Servants are Contracted with in Great Britain, Ireland, or other of his Majesty's Dominions, and imported into this Province, and there assigned over to the Inhabitants thereof, without the Previous Knowledge or Consent of such Apprentice or Servant.

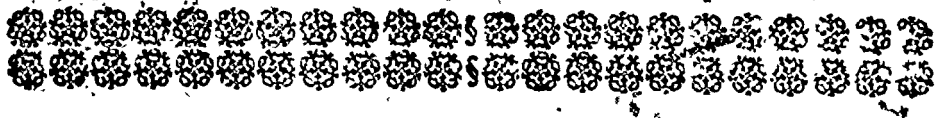
Be it therefore enacted, That before any Inhabitant shall accept of the Assignment of any such Indenture, he shall with the parties go before some one or more of his Majesty's Justices of the Peace, who shall Examine whether the Indenture proposed to be assign'd, be made and Execution agreeable to law, and whether the Apprentice or Servant has any legal Objection to the Assignment thereof, and to determine the Validity of such Objections, a Certificate of which Judgment shall be Recorded by said Justice or Justices.

*Qu. acts of Parliament for Transportation Convicts - pub. Stat. 4 Geo. 1. empowering to Convicts to Contract their Assigns. Act is extended to the Dominions in See the Preamble*

And be it further enacted, That if any Servant shall engage, and contract himself with any Person or Persons carrying on the the Fishery, in the Capacity of a Salter, Splitter, or Shoresman, and shall upon Trial be found incapable, and unqualified to Discharge the Duty of the Station, for which he shall have contracted himself, such Servant

vant upon due proof of his Incapacity before any one of his Majesty's Justices of the Peace, shall forfeit and loose all Wages due to him, for his Service in such employment. wherof he shall be so found in Incapable.

*Published According to Law, the 18th Day of June 1765.*



*An Act in Amendment of an Act for Confirming Titles to Lands and Quieting Possessions.*

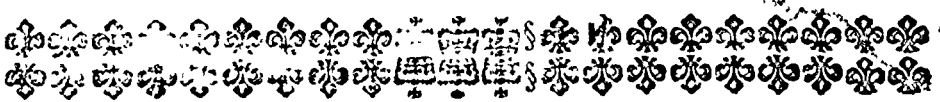
*Cap. 8.*

WHEREAS by a Resolution or Act of the Governor and Council of this Province, made before the Calling a General Assembly, and afterwards Confirmed by the General Assembly of this Province, it is, among other things resolved, That the Register for the Time being or his Deputy, shall be allowed for the Entry of every Memorial as is by this Act directed, to be Registered the Sum of ONE SHILLING and no more, in case the same do not exceed the Two Hundred Words, and if more then after the Rate of Six Pence an Hundred for all the Words Contained in such Memorial over and above the first Two Hundred Words, and the like Fees for the like Number of Words contained in every Certificate or Copy given out of the said Office, and no more and for every Search in the said Office One Shilling and no more.

And whereas by an Act made and pass'd, in the 32d Year of his late Majesty's, Reign, intitled, an Act for Confirming. Titles to Lands and Quieting Possessions, it is enacted, That the Register of Deeds and Conveyances in this Province, shall for the future in Lieu of any Memorial, Register, all Deeds and Conveyances in Words at full length, for which he shall Demand and Receive such Fees for Registering, as in like manner hath been heretofore allowed which Fees have been found an insufficient Recompence for the Attendance and Trouble necessarily attending the due Execution of that Office, as required by the aforesaid Acts.

Be it therefore enacted by the Governor Council, and Assembly, That from and after the Publication hereof, the Register of Deeds and Conveyances in this Province, or his Deputy, shall and may Demand and Receive the Sum of *Two Shillings* for every Deed register'd pursuant to the aforesaid Act, in case the same do not exceed *Two Hundred Words*, and if more, then after the Rate of *One Shilling* for an *Hundred Words*, for all the Words contained in such Deed over and above the first *Two Hundred Words*, and the like Fees for the like Number of Words contained in any Copy, given out of the said Office, and for every Certificate *One Shilling*, and for every Search in the said Office, *One Shilling* and no more, any Law Usage or Custom to the Contrary notwithstanding.

Published according to Law, the 19th Day of June, 1765



An Act for the Summary Trial of Actions.

WHEREAS the Trial of Causes in a Summary way has been found useful, and a means of determining many Suits with little Costs.

Cap. 9

2 Imp.

18th June 1765

Be it enacted by the Governor Council and Assembly, That the Supreme Court and the Inferior Court, of Common Pleas within this Province, be and are hereby empower'd in all Causes of Action brought before them, the Sum Total whereof shall not exceed *Ten Pounds*, to proceed in a Summary way by Witnesses, to examine the Merits of such Causes, wherein no Dilatory Plea shall be allowed, and to determine therein according to Law or Equity, and make up Judgment accordingly, subject to a Writt of Error to be brought from the said Inferior Courts of Common Pleas to the Supreme Court, when the Judgment shall exceed *Five Pounds*.

Provided

*Provided always,* That when on the Examination of the Witnesses ( which shall be taken in Writing ) the matters of Fact from the Evidence may be doubtfull, in such Cases they may order a Jury to Try the same, any former Law of this Province to the contrary notwithstanding.

*And be it further enacted,* That any one of the Justices of the Supreme Court or Courts of Common Pleas within this Province is hereby impower'd 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 impower'd to grant execution thereon according to such agreement, upon the Oath of the Creditor, that the Debt is *bona fide* due to him, in the same manner as if the said action had been Tried in either of the said Courts, 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 Proceeding so had before the said Justice ( where the Debt is Three Pounds and upwards ) shall be filed by him with the Clerk of the Court to which such Justice belongs, 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.

*And be it further enacted,* That all causes where the Sum shall not exceed Twenty Shillings, shall be Sued for and Recover'd before one Justice of the Peace, and that all Causes where the Sum shall not exceed Three Pounds shall be Sued for, and Recover'd before Two Justices, subject to an Appeal as heretofore hath been practised, and they are hereby impower'd to award Execution Returnable to him or them within Ten Days after the Date thereof, and if not satisfied he or they may issue out *Alias or Pluries* Returnable Respectively within the Term of Ten Days each, and all Writts of Summons issuing from such Justice

or Justices, shall be made Returnable at least Seven Days after their Date, Respectively.

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

County of

To the Provost Marshal or his Deputy greeting.

In His Majesty's Name you are hereby Comanded to Summon *A. B.* of if he may be found in your Precinct, to be and appear before His Majesty's Justice 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 of to the Damage of the said C. D. as says the Sum of which 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 be it enacted, That all Writts of Execution issued by the said Justices shall run against the Goods and Chattles 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 18th Day of June 1765.



*An Act to Impower the Province Treasurer to issue Small Notes in Exchange for the Large Notes, that have been issued heretofore in virtue of the several Loan Acts made and pass'd by the GENERAL-ASSEMBLY of this Province.*

*Cap. 10.*

*WHEREAS it has been Represented, That the Persons who now Possess Notes for large Sums Borrowed in Pursuance of the several Loan Acts made and pass'd by the GENERAL-ASSEMBLY of this Province, Labour under great Inconveniencies on Account of the Largeness of the Sums Express'd in those Notes: For Remedy whereof;*

 *It is Enacted by the Governor, Council, and Assembly. That the Treasurer of the Province be, and he is hereby Impower'd and Directed, on Application made to him for that purpose, to take up and Receive all such Large Notes for money Borrowed as aforesaid, as shall exceed the Sum of Ten Pounds, and in Lieu thereof, to give Receipts in manner as is prescribed by an Act made and pass'd in the Fourth Year of His Majesty's Reign, Intituled an Act to Impower the Province Treasurer to Borrow a Sum not exceeding the Sum of £. 2000 for paying off Bounties, Premiums and other Debts, payable by the Laws of this Province.*

*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 lesser Sum, ( Provided, that the Person or Persons applying for said Interest shall bring in at one and the same Time, a Sum not Less than Twelve Pounds Ten Shillings, ) and the Treasurer is hereby directed to give his Receipt or Receipts, for any Sum or Sums, ( Provided the same be not less than Five Shillings ) at the Option of the*

the Person or Persons possess'd of the Large Notes herein mentioned, and to date those Receipts so given, on the Day following the Day to which the Interest due on such Notes are paid.


*And be it enacted,* That all large Notes brought into the Treasury as aforesaid, and for which Receipts shall be given in pursuance of this Act, shall be Cancelled in presence of such Persons as shall be appointed by the GENERAL-ASSEMBLY for that Purpose.

*Provided always and be it enacted,* That all Receipts to be issued by the Treasurer in Pursuance of this Act, shall be enter'd with the Clerk of the Audits, before they are issued from the Treasury.

*Published According to Law the 18th Day of June 1765.*



*An Act to Establish the Number of Representatives to be Elected in the several Counties and Townships which are now Established in this Province.*

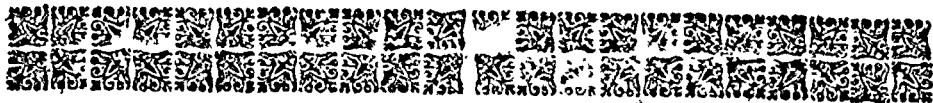
 *Be it enacted by the Governor, Council and Assembly,* That the several Counties and Townships herein after Named, shall be Intitled to Elect in Manner and Form as has heretofore been Accustomed in the County and Town of Halifax, the Number of Persons to sit as Representatives in GENERAL-ASSEMBLY, as follows, for the County of HALIFAX *Four*; for the County of ANAPOLIS *Two*; For the County of LUNENBURG *Two*; for the County of King's COUNTY *Two*; for the County of CUMBERLAND *Two*; for the County of QUEENS COUNTY *Two*; for the County of SUNBURN *Two*; for the Township of HALIFAX *Two*; for the Township of TRURO

*Cap. 11  
Repealed by  
His Majesty  
in Council  
June. 1767*

One ; for the Township of ONSLOW One ; for the Township of ANNAPOLIS One ; for the Township of GRANVILLE One ; for the Township of LYNENBURG One ; for the Township of HERTON One ; for the Township of CORNWALLS One ; for the Township of FALMOUTH One ; for the Township of NEWPORT One ; for the Township of CUMBERLAND One ; for the Township of LIVERPOOL One ; for the Township of SACKVILLE One.

*And be it also enacted,* That when the Townships of Barrington, Yarmouth, Chester, Dublin, Amberst, St. Johns, Winnsor, Wilmet on the River Annapolis, Louisbourg and Wilmot Town at Conjo, shall consist of Fifty Families Resident, and an Authentick Certificate thereof shall be laid before the Governor, Lieutenant Governor or Commander in Chief of the Province, Each and Every of the said Townships, shall be intitled to Elect in manner as aforesaid, one fit Person as a Representative in GENERAL-ASSEMBLY.

*Published according to Law, the 13th Day of June 1765.*



*An Act for granting to his Majesty an Excise on Wines, Tea, Coffee, and Playing Cards, sold within this Province.*

Cap. 12.

WHEREAS the several Duties of Impost and Excise already granted to his Majesty, are found insufficient to discharge the several Sums of Money borrowed in Virtue of the several Acts, made and passed by the GENERAL-ASSEMBLY of this Province. We do therefore Grant unto His most excellent Majesty, His Heirs, and Successors for the Uses aforesaid the several Duties of Excise hereafter mentioned.

Be

Cap. 12  
Temp.  
One Year ho.  
18<sup>th</sup> June 1774

**E** it therefore enacted, by the Governor, Council and Assembly, That from and after the Publication hereof, there shall be paid the several Rates and Duties of Excise on all *Wines, Tea, Coffee and Playing Cards*, sold within this Province, as follows *viz.*

- For every Gallon of *Wine* in Lieu of the former Duty of Impost, *Six Pence per Gallon.*
- For every Pound of *Tea*, - - - - - *One Shilling*
- For every Pound of *Coffee*, - - - - - *Two Pence*
- For every Pack of *Playing Cards*, - - - - - *One Shilling*

*And be it enacted*, That all Merchants or other Persons what ever having in their Possession any *Wines* for Sale, shall within *Thirty Days* after the Publication of this Act, deliver to the Collector or Receiver, or Collectors or Receivers, of the Excise Duties for the Time being, an Account in Writing and upon Oath, of all such *Wines* remaining in their Possession, and that all Merchants and other Persons whatsoever, buying or receiving into their Possession any *Wines* for Sale, shall within *Twenty Four Hours* after such Purchase or Receipt, deliver to the Collector or Receiver, or Collectors or Receivers aforesaid, an Account upon Oath of all such *Wines* by them so bought or received, specifying the Kinds of Casks with the Marks and Numbers thereof, in which the same is contained, under the Penalty and Forfeiture of *Fifty Pounds* for each and every offence.

*And be it enacted*, That no Merchant or other Person whatsoever, shall presume to sell, barter, exchange or deliver any *Wine*, other than to such Persons or for such Quantities or shall be express'd in a Permit to be granted by the Collector or Receiver, or Collectors or Receivers aforesaid, or either of them, in the manner herein after mention'd, under the Penalty and Forfeiture of *Fifty Pounds* for each and every offence; and the said Merchant or other Person shall render a just account upon Oath of the disposal of all such *Wines*, now in their Possession, or that shall hereafter be received by any of them, whenever thereunto required, and shall at the end of each *Quarter* *ballance* and settle

Settle their Stock Accounts with the said Collector or Receiver, or Collectors or Receivers aforesaid, at their Office.

*And be it further enacted,* That the public Sworn Gaugers, shall have power to Gauge the whole of the Stock of Wines in the Cellars or Storehouses 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 unsold, with the Permits that have been filed as herein directed, shall serve as Vouchers for the settlement of all such Stock Accounts, and 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 imposed by this Act for whatever Quantity of Wine shall be found deficient at the time of making such settlement; and that under the Penalty of Ten Pounds for each and every offence.

*And be it further enacted,* That the Collector or Receiver, or Collectors or Receivers aforesaid, or either of them, shall grant Permits gratis, to all Retailers and others for the several Quantities of such Wines, as they shall from Time to Time purchase from the Merchant or other Person whatsoever, and shall deliver a Duplicate of such Permit, one to remain in the Hands of the Buyer, and the other to be delivered to the Seller, at the Time of delivery of such Wines.

*And be it also further enacted,* That the Collector or Receiver or Collectors or Receivers aforesaid, is and are hereby impowered and directed, to take and receive from the Purchaser or Purchasers of such Wines the Duty of Excise at and after the rate aforesaid, for the number of Gallons to be express'd in the said Permit and Duplicate, before the Delivery of the same; *Provided* the Amount of the said Duty does not exceed *Five Pounds*, but if the same shall exceed *Five Pounds*, the Collector or Receiver, or Collectors or Receivers, is and are hereby Authorized on Sufficient Security being given, to give Credit for Payment thereof within the Term of *Three Months*.

*And*

*And be it further enacted,* That all *Wines* which shall be found in the Custody of any Merchant or Retailer without such Permit as aforesaid, and which shall not have Paid or Secured to be Paid the Duty of Excise imposed by this Act ( except the Stock in the Custody of the Merchant or other Person, and which shall have been reported by the Account herein before directed to be given or delivered to the Collector or Receiver, or Collectors or Receivers aforesaid ) shall be seiz'd and Forfeited, and the Person or Persons in whose Custody the same shall be found, shall Forfeit and Pay the Sum of *Ten Pounds* for every such offence.

*And be it also further enacted,* That the Merchant or such 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 aforesaid, or either of them, whenever thereto required, under the Penalty and Forfeiture of *Ten Pounds* for each and every offence, and the Quantity Contained in said Permits shall, as far as they go, be sufficient to discharge him or them of so much Stock, as he or they shall have so Bought or Received as aforesaid.

*And be it further enacted,* That the said Collector or Receiver, or Collectors or Receivers, shall make an Allowance of *Five per Cent* for Wastage and Leakage, and if through Accident any Part of the Stock of *Wines*, in the Hands of any Merchant or other Person, shall by Leakage, Decay or otherwise be lost, the said Collector or Receiver, or Collectors or Receivers, shall on due proof of the same, on Oath within *One Month* after such Leakage, Decay or Loss, Credit the Stock of such Merchant or other Person for the Quantity so lost, or rendered useless.

*And be it also enacted,* That in Case of re-shipping and Exportation out of the Province, of any part of such *Wines, Tea, Coffee, or Cards*, the Collector or Receiver, or Collectors or Receivers aforesaid, shall Credit the Stock on Hand of the Merchant or other Person for what shall *Bona fide* have been so Exported upon the said Merchant or other Persons, producing a Certificate within *Eighteen Months* after the  
Time

Time of the Exportation ( the Danger of the Seas and Enemies excepted ) from the principal Officer of his Majesty's Customs, or Commanding Officer for the Time being, of the Port to which the same shall be carried, of its being there duly landed; and in Case such *Wines, Tea, Coffee or Cards*, shall have duly Paid or secured to be Paid the Duty prescribed by this Act, such Merchant or other Person shall produce a Certificate from the Collector or Receiver, or Collectors or Receivers aforesaid, or either of them, that the Duty thereon has been duly Paid or secured to be Paid before such Exportation, upon which the same shall be repaid, or the Bond given therefor discharged.

And for the preventing Frauds herein, the following Oath shall be taken by every such Exporter of any *Wines, Tea, Coffee, or Cards*, which Oath the Collector or Receiver, or Collectors or Receivers, or either of them, are hereby Authorized to Administer.

“ YOU A. B. Do swear that the Quantity of Wine, Tea, Coffee, or Cards, by you shipp'd for Exportation on Board the *Master bound for* was really and Bona fide purchased of ( or ) imported in the *and that the same is not intended to be fraudulently relanded into any Port or Place in this Province.*”

And be it enacted, That if any *Wines*, shall be fraudulently relanded into any Port or Place of this Province, after shipp'd for Exportation, the same shall be forfeited, together with the Vessel out of which the said *Wines, Tea, Coffee, or Cards*, shall have been so fraudulently relanded.

And be it further enacted, That from and after the Publication hereof, all Persons who shall sell any *Wines, Tea, Coffee or playing Cards*, directly or indirectly, by themselves, or any other Person or Persons acting under them, or by their Order, shall and are hereby required to enter their Names and Places of Abode, with the Collector or Receiver, or Collectors or Receivers of the Duties of Excise for the Time being

being, or either of them, within *Seven Days* after such Publication, and shall keep an Account of all *Tea, Coffee, or Cards* sold by him or them, or any Person or Persons acting under him or them, or by his or their Order from the Publication hereof; which Account they shall render in upon Oath, which Oath the said Collector or Receiver, or Collectors or Receivers aforesaid, and each of them are hereby Authorized to Administer in the following Words,

*“ YOU A. B. do Swear that the Account now deliver'd in by you, contains a just and True Account of all the Tea, Coffee, and Playing Cards that have been sold by you, or any Person or Persons under you, or acting for you, or by your Orders, between the                    Day of                    and the                    Day of                    to the best of your Knowledge and Remembrance.”*

So Help you G O D.

And shall at the End of every *Three Months* pay to the Collector or Receiver, or Collectors or Receivers aforesaid, the Duties of Excise imposed by this Act, on all *Tea, Coffee and Playing Cards*, so sold by him or them, or by any other Person or Persons acting under them, or by their Orders aforesaid, within such Time respectively.

*Provided nevertheless,* That it shall and may be lawful for any Person or Persons to sell or dispose of by Wholesale, any *Tea*, in Chests, or otherwise not less in Quantity than *Fifty Pounds*, Weight or any *Coffee*, in Quantity not less than *Fifty Pounds* Weight, and also to sell and dispose of by Wholesale, any *Playing Cards* to any Person or Persons, in any Quantity not less than *One Groce* or *Twelve Dozen Packs*, without being liable to pay the aforesaid Duties of Excise; but shall within *Forty Eight Hours* after the Sale and Delivery thereof, render an Account to the Collector or Receiver, or Collectors or Receivers aforesaid, of the Person to whom the same shall be sold or disposed of, under the Penalty of *Ten Pounds*.



for every Neglect thereof, to be sued for and recover'd, as is herein after prescribed.

*And be it also further enacted,* That if any Person or Persons shall from and after the Publication of this Act, presume directly or indirectly by themselves, or any Person acting under them, or by their Order, to sell any *Tea Caffe or Playing Cards*, by any less Quantity than is here before prescribed, without first making Entry of the Names and Places of Abode, as by this Act is directed, He, She, or they shall, for every such Offence on due Conviction thereof, by the Oath of one Credible Witness before any one of His Majesty's Justices of the Peace, forfeit and pay the Sum of *Ten Pounds*, one Half to be Paid to the Informer, and the other Half to be to His Majesty for the uses mentioned in this Act, which Fine shall be levied by Warrant of Distress and Sale of the Offenders Goods and Chattels from under the Hand and Seal of the Justice before whom such Conviction shall be made.

*Provided always and it is the True intent and meaning of this Act,* That if any Person who shall have enter'd their Names and Places of Abode as aforesaid, to sell any *Tea, Caffe, and playing Cards*, shall Purchase either of the said Commodities in a less Quantity than is prescribed by this Act, from Persons whose Names are enter'd to sell the same, and shall within *Ten Days* after such Purchase, produce to the Collector or Receiver, or Collectors or Receivers aforesaid, a Certificate from the Person from whom they Purchas'd the same, such Purchaser shall not be held to pay the Duties on any Quantity so Purchas'd.

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

*And be it further enacted,* That all the Penalties and Forfeitures arising or accruing by this Act, shall and may be recover'd 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 Protection, and all incident Charges, 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 be it also further enacted,* That the Monies arising from the Duties imposed by this Act shall be and are hereby appropriated for the Redemption of the Loan Warrants, and Treasurers Receipts.

*And be it 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 Plantations, or his Deputy.

*And it is also further enacted,* That this Act shall continue and Remain in full Force for and during the Term of *One Year* from and after the Publication thereof, and until the end of the Session of the *General-Assembly*, then next following.