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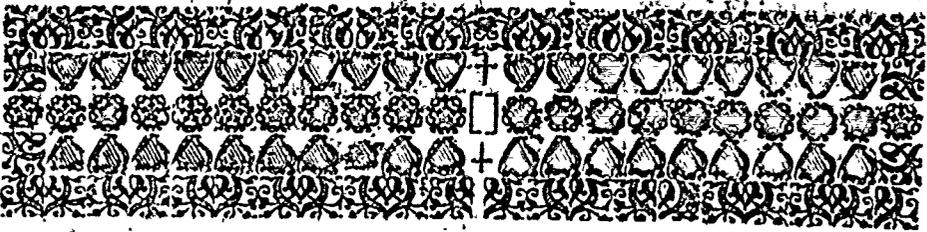
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At the GENERAL-ASSEMBLY of the Province of *Novæ-Scotia*, begun and holden at *Halifax*, on Tuesday the 4th Day of *December*, 1759, and in the 33^d Year of His Majesty's Reign.

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A N A C T

To prevent GAMING.

BE it enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the Publication hereof, all public Gaming at *Cards, Dice, Tennis, Bowls*, or any other Games whatsoever; and all *Lotteries*, and *publick Gaming-Tables*, shall be deemed and adjudged to be *Nu-jances*; and all *Notes, Bills, Bonds, Judgments, Mortgages*, or other *Securities or Conveyances* whatsoever, given, granted, drawn, or entered into, or executed, by any Persons whatsoever, where the Whole or any Part of the Consideration of such *Conveyances or Securities* shall be for any Money, or other valuable Thing whatsoever, won by Gaming or Playing at *Cards, Dice, Tables, Tennis, Bowls*, or other Game or Games whatsoever, or by betting on the Sides or Hands of such as do game at any of the Games aforesaid; or for the reimbursing or repaying any Money knowingly lent or advanced for such *Gaming or Betting* as aforesaid, or lent and advanced at the Time and Place of such Play, to any Person or Persons so *gaming or betting* as aforesaid; or to any other Person or Persons in Trust for, or to the Use of them so *gaming or betting*; or that shall, during such Play, so *game or bett*, shall

Cap

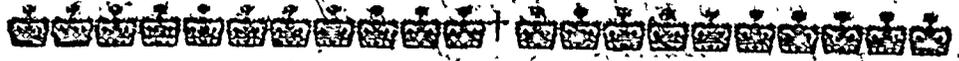
be utterly void, frustrate, and of none Effect, to all Intents and Purposes whatsoever: And that where such *Mortgages, Securities, or other Conveyances*, shall be of *Lands, Tenements, or Hereditaments*, or shall be such as incumber or affect the same, such *Mortgages, Securities, or other Conveyances*, shall enure and be to and for the sole Use and Benefit of, and shall devolve upon, such Person or Persons, as should or might have, or be intitled to such *Lands, Tenements or Hereditaments*, in case the said *Grantor or Grantors* thereof, or the Person or Persons so incumbering the same had been naturally dead; and as if such *Mortgages, Securities, or other Conveyances*, had been made to such Person or Persons so to be intitled after the Decease of the Person or Persons so incumbering the same; and that all *Grants or Conveyances*, to be made for the preventing such *Lands or Tenements or Hereditaments* from coming to, or devolving upon such Person or Persons hereby intended to enjoy the same as aforesaid, shall be deemed fraudulent and void, and of none Effect to all Intents and Purposes whatsoever.

And be it further enacted, That from and after the Publication hereof, any Person or Persons whatsoever, who shall by playing at *Cards, Dice, or Tables*, or any other *Game or Games* whatsoever, or by *betting* on the Sides or Hands of such as do play at any *Game or Games* as aforesaid, within *Twenty four Hours*, or at any one Meeting or Sitting, lose to any one or more Person or Persons, so playing or betting, any Sum or Sums of Money, exceeding the Sum of *Twenty Shillings*, or any other valuable Thing or Things whatsoever beyond the Value of the Sum of *Twenty Shillings*, and shall pay or deliver the same or any part thereof, the Person or Persons so losing and paying or delivering the same, shall be at Liberty, within *one Month* then next following, to sue for and recover the Money or Goods so lost and paid or delivered, or any part thereof, from the respective Winner or Winners thereof, with Costs of Suit, by *Action of Debt* founded on this Act; to be prosecuted in any of His Majesty's Courts of Record, in which Action it shall be sufficient for the Plaintiff to alledge that the Defendant or Defendants are indebted to the Plaintiff, or received to the Plaintiff's Use, the Monies so lost and paid, or converted the Goods won of the Plaintiff to the Defendant's Use; whereby the Plaintiff's Action accrued to him according to the Form of this Act; and in case the Person or Persons who shall lose such Money or other Thing as aforesaid, shall not, within the Time aforesaid, really and *bona fide*, and without Coven or Collusion, sue and with Effect prosecute for the Money or other Thing so by him or them lost and paid, or delivered as aforesaid, it shall and may be lawful to and for any Person or Persons, within *one Month* thereafter, by any such Action or Suit as aforesaid, to sue for and recover the same with Costs of Suit, against such Winner or Winners as aforesaid; the one Moiety thereof to the Use of the Person or Persons that will sue for the same, and the other Moiety to the Use of the Poor of the Town where the Offence shall be committed.

And be it further enacted, That the Parent, Guardian, or Master of any Person or Persons under the Age of *Twenty-one Years*, shall likewise be at Liberty to sue for and recover, in Manner as is before prescribed, any Money or other Thing won by *Gaming* from such Persons within lawful Age, and *treble* the Value of the Money so won, with Costs of Suit.

And be it further enacted, That if any Persons shall by Fraud, unlawful Device, or ill Practice whatsoever, in playing at any Game or Games whatsoever, or by bearing a Share or Part in the Stakes, or by Betting on the Sides of such as shall play, win, or acquire to themselves, or to any others, any Money or other valuable Thing; every Person so winning or acquiring by such ill practice as aforesaid, and being thereof convicted of any of the said Offences, upon Indictment or Information, shall forfeit five Times the Value of the Money or other Thing, so won as aforesaid, such Penalty to be recovered by such Person as shall sue for the same by such Action as aforesaid.

And for the better suppressing all publick Gaming Houses, it is hereby further enacted, That it shall and may be lawful to and for any two or more of His Majesty's Justices of the Peace, to enter into any publick Houses suspected of keeping any Gaming Tables, and to order and direct the Keepers of such Gaming Tables, if any such shall be found therein, to remove the same within Forty-eight Hours, as a publick Nuisance; and any Person refusing or neglecting to obey the Order of such Justices, the said Justices shall have Power to break and prostrate such publick Gaming Tables, and also to require sufficient Security from Persons keeping such publick Gaming Houses, for their good Behaviour during Twelve Months, or for their Appearance at the next Quarter Sessions, there to be prosecuted for offending against this Act, and on Conviction, to be either fined or imprisoned, as the Court shall direct.



An Act for permitting Persons of the Profession of the People called Quakers, to make an Affirmation, instead of taking an Oath.

BE it enacted by His Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted, That every Person of the Profession of the People called Quakers, who shall be required upon any lawful Occasion to take an Oath, shall instead of an Oath in the usual Form, be permitted to make his or her solemn Declaration or Affirmation in these Words, to wit.

Cap. 2

" I, A. B. do solemnly, sincerely, and truly declare and affirm :

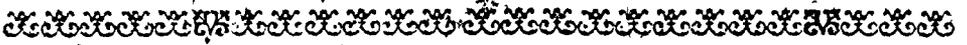
Which solemn Affirmation shall be adjudged and taken to be, of the same Force and Effect, in all Places where by Law an Oath shall be required, as if such Quaker had taken an Oath in the usual Form.

And be it further enacted, That every Person who shall have made such solemn Affirmation, and shall be convicted of wilfully, falsely, and corruptly, having affirmed any Thing, which if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, shall incur the same penalties as Persons convicted of wilful and corrupt Perjury.
Provided,

Provided, That no Quaker or reputed Quaker shall, by Virtue of this Act, be admitted to give Evidence in any criminal Causes, by such solemn Declaration or Affirmation as is hereby directed.

Provided, that no Persons shall be deemed Quakers within the Intention of this Act, unless they shall affirm in the Form before directed, That they are, of the profession of the People called Quakers, and have been so for One Year then last past.

And be it further enacted, That this Act shall be deemed to be a publick Act, and be judicially taken Notice of as such.



An Act in Addition to, and Amendment of an Act intituled, ' An Act for confirming the Proceedings ' on the several Resolutions of the Governors and ' Council of this Province, relating to the Duties ' of Impost on Rum and other distilled Liquors, and ' enabling the late Collector or Receiver to recover ' the Monies unpaid, for any Bonds or Notes ' remaining in his Hands, and for establishing ' and regulating several Duties of Impost on ' Wines, Beer, Rum, and other distilled Spirituous Liquors for the future ;' And for the further Continuance of the same.

HERE AS several Clauses in the above recited Act have been misconstrued, and Deficiencies found therein ; to explain and provide for which, it is found necessary to make the following Amendments and Additions. AND WHEREAS in the third Clause of said Act, making liable to an Impost Duty all Wines, Beer, Rum, or other distill'd Spirituous Liquors imported into this Province, an Exception is therein made to the Product or Manufacture of Great-Britain, which has not answered the Intent and Meaning of the said Exception ;

It is hereby declared by His Excellency the Governor, Council, and Assembly, That it was the Intention of the Legislature, That no Wines, Beer, Rum, or other Spirituous Liquors, legally and directly imported from Great-Britain, tho' not of the Growth and Manufacture of Great-Britain, should be subject to the Payment of the Duties imposed by the said Act: And be it enacted, That the Collector of the Impost Duty, shall not demand or receive any Duties for any Wines, Beer, Rum or other Spirituous Liquors, imported from Great-Britain as aforesaid.

AND

AND WHEREAS in the fourth Clause of said Act, the Importer of all Wines, Beer, Rum, or other DISTILLED SPIRITUOUS LIQUORS, is required to pay or give Security for the Payment of the Duties, to the Collector or Receiver thereof, at or before the Landing, the same, which has been found inconvenient, as the Quantity of RUM or OTHER SPIRITUOUS LIQUORS, cannot at all Times be ascertained until Gauged.

Be it enacted by the Authority aforesaid, That when any Rum, or other Spirituous Liquors shall be imported, the Quantity whereof cannot be ascertained before the Landing, the Collector or Receiver of the Imposts is hereby impowered to grant a Permit for the same to be landed and gauged, any Thing in the above-recited Act to the contrary notwithstanding.

AND WHEREAS in the fifth Clause of said Act, a Penalty of Fifty Pounds is laid on the Master of any Ship or other Vessel, who shall refuse or neglect to make due Entry of such Wines, Beer, Rum, or other Spirituous Liquors, imported in such Ship or Vessel, which Penalty is thought insufficient;

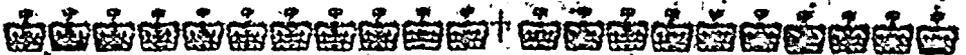
Be it enacted, That all Masters of Vessels refusing or neglecting to yield strict Obedience to the Manner and Form prescribed by said Act, in the making an Entry of all Wines, Beer, Rum, or other Spirituous Liquors, brought into any Port or Harbour of this Province by them, shall forfeit and pay the Sum of Fifty Pounds over and above the Penalty inflicted by said Act; to be sued for and divided in like Manner as is prescribed by said Act.

AND WHEREAS the Collector or Receiver of the Impost Duties is not directed by said Act, to whom and at what Time he should make Payment of the Monies so collected by him in Pursuance of said Act.

Be it therefore enacted by the Authority aforesaid, That the Collector or Receiver of the Impost 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 received in Pursuance of this Act, within Thirty Days after the End of each Quarter.

AND WHEREAS the Term of the aforesaid recited Act is near expiring;

Be it enacted by the Authority aforesaid, That the said Act with its Amendments and Additions, be further continued; and remain in full Force for the Term and Space of Four Years, from the first Day of January, 1760, and until the End of the Session of the General Assembly then next following.





An Act to prevent the distilling Grain in this Province.



HERE AS it has been found by Experience, that the drawing, distilling, and making Brandies and Spirits from Malt, Corn and Grain, in many Parts of His Majesty's Dominions, has been often the Occasion of great Scarcity of Corn, and enhancing the Price thereof; which has proved a great Grievance to His Majesty's Subjects: In order to prevent the Introduction of such evil Practices into this Province,

Be it therefore enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the first Day of February, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty, no Person or Persons whatsoever shall, directly or indirectly, draw, distill, or make, or cause or procure to be drawn, distilled or made, within this Province, any Brandies, Spirits, or Low-wines whatsoever, from Malt, Corn, or Grain, or from any Wash or Liquors produced from any Malt, Corn, or Grain whatsoever.

And be it further enacted by the Authority aforesaid, That if any Person or Persons within this Province, after the Time before mentioned, shall presume to draw, distill, or make any Brandies, Spirits, or Low-wines, from Malt, Corn, or Grain, or from the Wash or Liquors produced therefrom, they shall forfeit and pay the Sum of Fifty Pounds; and all the Spirits so distilled, and also the Stills, Backs, Casks; and other Utensils employed in distilling the same, shall be forfeited: One Moiety of which Fines and Forfeitures shall be applied to the Use of the Poor of the Town where the Offence shall be committed, the other to him or them who shall discover, inform, or sue for the same; and the said Penalties and Forfeitures shall be recovered by Bill, Plaint, or Information, in any of His Majesty's Courts of Record in this Province.

And be it further enacted, That this Act shall be deemed and taken as a Public Act, and all Officers, as well His Majesty's Justices of the Peace, Grand-Jurors, Constables, and all other His Majesty's liege Subjects in this Province, are hereby authorized to see that this Act be duly observed, and to present and inform of all Breaches of the same.

And be it further enacted, That this Act shall be and continue in Force for Ten Years, and from thence to the End of the then next Sessions of the General Assembly of this Province.





An Act for laying an additional Duty of Three Pence per Gallon upon all Rum and other distilled Spirituous Liquors imported into this Province, and for allowing a Drawback on the Exportation thereof.

W H E R E A S by an Act made and passed by the General Assembly of this Province, in the 32d Year of His Majesty's Reign, intituled " An Act for establishing and regulating several Duties of Imposit on Wines, Beer, Rum, and other distilled Spirituous Liquors for the future," a Duty of Three Pence per Gallon was granted unto His Majesty on all Rum and other distilled Spirituous Liquors imported into this Province: But Whereas the Sums arising from the Duties imposed by said Act, as well as from the Duty of Excise on Wine, Rum, and other distilled Spirituous Liquors sold by Retail, will be insufficient to answer the Payment of the Bounties and Premiums promised for the Encouragement of Labour and Industry, and defray the other necessary Expences of the Province, such as the building a Lighthouse of Stone Masonry at the Entrance of the Harbour of Halifax for the Benefit of Shipping, erecting a Workhouse and Prison, and finishing the Church and Meeting-House.

Cap. 5.
Enact

We do therefore hereby grant unto His Most Excellent Majesty, His Heirs and Successors, for the Uses aforesaid, the several Rates, Duties and Imposts hereinafter mentioned.

Be it therefore enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the first Day of January, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty, the Importers of all Rum, and other distilled Spirituous Liquors, shall pay to the Collector or Receiver of the Imposit for the Time being, (over and above the present Duty) Three Pence per Gallon for all such Rum or other distilled Spirituous Liquors, (except the Product or Manufacture of Great-Britain, or legally and directly imported from thence) which he or they shall bring into any Port or Part of this Province, Provided the same be sold, bartered or landed within the Province, and in all other Respects be subject to the same Rules and Regulations, and liable to the same Penalties and Forfeitures as in the above recited Act with its Amendments.

And be it further enacted by the Authority aforesaid, That over and above the Drawback allowed by an Act intituled, " An Act for allowing a Drawback of Part of the Imposit Duties on Wines, Beer, Rum, and other distilled Spirituous Liquors, on their being exported out of this Province," there shall be allowed a Drawback of Three Pence per Gallon on all Rum, or other distilled Spirituous Liquors which shall be exported out of the Province,

after

after the said *first* Day of *January*, *One Thousand Seven Hundred and Sixty*, *That is to say*, That there shall be paid to the Exporter of any *Rum*, or other *distilled Spirituous Liquors*, (which shall have paid as well the Duty of *Three Pence* per Gallon imposed by the former herein recited Act, as also the additional Duty of *Three Pence* per Gallon imposed by this Act) *five sixth Parts* of the whole neat Duty to paid or secured to be paid, subject to the same Regulations, and in Manner and Form as described in the aforementioned Act.

And for the better preventing Frauds herein, the following Oath shall be taken for the future, by every such Exporter of any *Rum* or other *distilled Spirituous Liquors*, (which Oath the Collector or Receiver of the Impost Duty is hereby authorized to administer) instead of the Oath to be taken as specified in the Act for allowing the said *Drawback*.

I A. B. do swear, that the Quantity of _____ by you shipped for
 Exportation on board the _____ Master, bound for
 was bona fide imported in the _____ Master, from _____ since
 the first Day of *January*, *One Thousand Seven Hundred and Sixty*, and
 that the Impost Duty for the same has been paid or secured to be paid, as
 by the Law of this Province is required; and that the same is not intended
 to be fraudulently reloaded into any Port or Place in this Province.

And be it enacted by the Authority aforesaid, That if any *Rum*, or other *distilled Spirituous Liquors*, shall be fraudulently reloaded into any Port or Place of this Province after shipped for Exportation, the same shall be forfeited, together with the Vessel out of which the said *Rum* or other *distilled Spirituous Liquors* shall have been so fraudulently reloaded.

And it is also further enacted, That all *Rum*, or other *Spirituous Liquors*, which shall be imported after the *first* Day of *January*, *One Thousand Seven Hundred and Sixty*, and which shall be issued to His Majesty's Ships of War for the Use of His Majesty, be deemed so far an Exportation thereof as to be intitled to a *Drawback* of the whole additional Duty of *Three Pence* per Gallon, which shall have been paid or secured to be paid on said *Rum* or other *spirituous Liquors*. And the Treasurer of the Province is hereby authorized and directed to pay the same out of the Funds arising from the aforesaid Duties, upon the Person or Persons (issuing such *Rum* or other *spirituous Liquors* to any of his Majesty's Ships) making Oath to the Delivery thereof, and producing a Certificate from the Collector of the Impost for the Time being, That the Duty thereof has been paid, or secured to be paid, and also producing a Certificate from the Commander and other signing Officers of such his Majesty's Ship or Ships, of the Quantity and Kind of such *spirituous Liquors*, and that the same was actually received on board the said Ship or Ships for His Majesty's Use, and no other.

And be it further enacted, That the Collector or Receiver of the Impost for the Time being, shall render an Account of, and pay to the Treasurer of the Province, all such Monies by him received in Pursuance of this Act,

Act, at such Times, and in like Manner, as hath heretofore been practised by the Collector of the Impott.

And it is also further enacted, That this Act shall continue and be in Force for the Term of *four Years* from the said *first Day of January, One Thousand Seven Hundred and Sixty*, and until the End of the Session of the General Assembly then next following.



An Act in Addition to an Act, intituled, An Act for the Establishment of religious Publick Worship in this Province, and for suppressing of Popery.

HERE AS although in and by the said Act it is enacted, that the sacred Rites and Ceremonies of Divine Worship, according to the Liturgy of the Church established by the Laws of England, shall be deemed the fixed Form of Worship amongst us, and the Place wherein such Liturgy shall be used, shall be respected and known by the Name of the Church of England as by Law established; and although a Church is already built, and publick Worship performed therein, yet no Provision is made in the said Act for the Choice of Parish Officers, or to empower the Parishioners belonging to the said Church to raise Money for the Support and Maintenance of such Ministers as are or shall be hereafter appointed to officiate therein, and for the Repairs of said Church;

Cap. 6

Be it therefore enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Parish of the Church commonly called and known by the Name of SAINT PAUL's Church, shall extend and comprehend all the Lands lying and being in the Township of Halifax, hereafter to be known and called by the Name of the Parish of Saint Paul's, for and during such Time as the said Township shall consist of one Parish only, and that the Church-Wardens and Parishioners of said Parish, are hereby empowered to meet as soon as convenient may be, Notice being first given of such Meeting, and the Place thereof, by the Rector of said Parish, and shall then and there chuse Twelve Officers of the said Parishioners for Vestry-Men, in which Vestry shall be included the Ministers belonging to the said Church, and officiating therein; and the said Church-Wardens and Vestry shall have and exercise all such Powers and Authorities, for the Benefit of the said Church, as are usually exercised by Church-Wardens and Vestries in the Parish Churches in England, and shall to all Intents and Purposes be, and are hereby empowered, as a Body Politic incorporate, to sue and be sued, and to ask, demand, and sue for the Rents due for the Pews of said Church, for the Benefit of the Ministers and Repairs thereof, and to take and receive all Gifts, Grants, either of Lands or Money, to and for the Use of the said

Parish Church, and to improve the same for the Benefit and Advantage thereof, according to their best Discretion, and the true Intent and Meaning of the *Donors*: And the said Meeting of the Parishioners for the Choice of *Vestry-Men*, shall hereafter be annually on *Michaelmas Day*, or which Day shall also be chosen annually the *Church-Wardens* for the said Church, by the said Parishioners.

And be it further enacted, That if any of the said Parishioners, who shall be regularly chosen into the Offices aforesaid, do refuse to serve in the same, he or they shall forfeit the Sum of *Five Pounds*, to be recovered by Bill, Plaint, or Information, in any of His Majesty's Courts of Record; which Forfeiture shall be to and for the Use of the said Parish-Church.

And be it further enacted, That the said Parishioners may, by a Vote of the Majority at their annual Meeting then present, Grant such Sums of Money towards the Support and Maintenance of their Minister or Ministers, or for the Repairs of the said Church, as they may think necessary; which said Vote shall be binding on all the Parishioners belonging to the said Church, and others dwelling in the said Parish, not exempted by Law from paying towards the Support of the *Church of England*; which Sum or Sums of Money so voted, shall be assessed in just and equal Proportions on every Parishioner, according to their several Abilities.

And be it further enacted, That for the greater Ease of the Parishioners, in paying in such Sums so granted, that for every yearly Grant for the Support of the Minister, it shall be assessed by the *Church-Wardens* and *Vestry* in two equal Assessments, one Half to be paid in the first Six Months, and the other Half in the last Six Months.

And be it also enacted, That the said *Church-Wardens* shall, and they are hereby empowered, to collect and receive such Rates and Taxes; and if any Person thus rated or taxed, shall not pay the same within *One Month* after Notice given by such *Church-Wardens*, that then it shall and may be lawful, on the Complaint of such *Church-Wardens*, on Oath that due Notice has been given as aforesaid, for any one of His Majesty's Justices of the Peace for the County of *Halsfax*, by Warrant of Distress under his Hand and Seal, to cause the same to be levied on the Goods and Chattles of the Person so failing.

Provided always, That if any Person shall think himself over-rated, he may appeal for Redress to the next *General Sessions of the Peace* for the said County, and the Justices thereof are hereby required and empowered to examine, hear, and determine all and every such Appeal or Complaint, and to give Redress as they in their Judgment shall think equitable, and such their Order and Judgment shall be final, and bind all Parties.

And be it further enacted. That the *Church-Wardens* and *Vestry* may meet as often as the Business of the said Church shall require, but for the making

making the *Assessments* and *rating* the *Parishioners*, they shall and are hereby enjoined to meet on the first Monday after *Easter* yearly and every Year; and no *Assessment*; unless the same be agreed on and subscribed by at least *seven* of the said *Vestry* and *Church-Wardens*, nor any other *Act* by them done or agreed on to be done, shall be valid, and have its Force and Effect in Law, unless also *seven* of them, at least, be present.

And *be it further enacted*, That the *Ministers* of the *Church of England*, not conforming themselves to the Rules prescribed by the *Cannons* of the said Church, shall be subject to the *Censures* and *Penalties* incurred therein, and none other, any Law, Usage, or Custom to the contrary notwithstanding.



An *Act* in Addition to, and Amendment of, and for further prolonging, an *Act* made and passed in the 32^d Year of His Majesty's Reign, intituled, *An Act* or granting to His Majesty an Excise upon Wine, Rum, and other distilled Spirituous Liquors sold by Retail. AS ALSO, of an *Act*, intituled, *An Act* for the better discovering and more effectually suppressing unlicenced Houses.

FOR AS MUCH as sundry Deficiencies have been found in the above-recited *Acts*, and Complaints made thereof by the Collectors and Receivers of the said Duty of Excise; to remedy and provide against which, it is thought necessary to make the following Amendments and Additions.

Cap. 7.
The enacted

AND WHEREAS, in the second Clause of the said first recited *Act*, it is enacted, " That all Persons licenced to retail Wine, Rum, and other distilled Spirituous Liquors, shall deliver in monthly, to such Persons as shall be appointed by His Excellency the Governor to receive the same, a just Account upon Oath, of the Quantity of Wine, Rum, or other distilled Spirituous Liquors, sold during the Month then last passed, by them, or any Person or Persons under them, or by their Orders, sold and delivered, mixt or unmixt, and shall at the same Time pay to the Person appointed to receive the same, the Duty due thereon."

BUT WHEREAS no Time is limited after the End of each Month, for Persons so selling Wine, Rum, or other distilled Spirituous Liquors by Retail, in which they shall render an Account thereof, and pay the Duties arising therefrom, as by the said first recited *Act* is imposed, to the Collectors or Receivers appointed to collect, and receive the same.

Be it therefore enacted by the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted and declared, That all and every Person or Persons being licenced and retailing any Wine, Rum, or other distilled Spirituous Liquors, shall, on the first Tuesday, or Wednesday of every Month, from and after the first Day of February, which will be in the Year of our Lord, One Thousand Seven Hundred and Sixty, render a just and true Account, upon Oath, and pay the Duties due thereon, for the preceding Month, to the Collectors or Receivers appointed to collect and receive the same, at their Office; and every Person neglecting or refusing to yield strict Obedience hereunto, shall forfeit and pay the Sum of Ten Pounds.

AND WHEREAS by the said first recited Act it is also enacted, " That it shall be lawful for the said Collector to make an Allowance of Ten per Cent for Leakage and Wastage of all Rum, Wine, or other distilled Spirituous Liquors, to any Tavern-keeper, Common Victuallar or Retailer." But forasmuch as it was the Intention of the Legislature, that this Allowance should only be made to such Persons as would give in an Account of the Quantity of Spirituous Liquors bought by them, which the Retailers do not comply with, and thereby many Frauds are committed. To prevent this Inconveniency for the Time to come,

Be it enacted by the Authority aforesaid. That all Persons being licenced to retail Wine, Rum, and other distilled Spirituous Liquors, shall, not only, render an Account in Manner as before directed, but also shall give in therewith an Account in Writing upon Oath of the Quantity of Wine, Rum, and other distilled Spirituous Liquors purchased by them during the Month then last past, with the Marks and Numbers of the Cask in which the same is contained, as also the Day of the Month and Year when purchased, and the Names of the Persons from whom they actually bought and received the same. And all Persons so licenced to retail as aforesaid, who shall have in their Houses, Shops, Cellars, or other Stores whatsoever, any Quantity of Wine, Rum, or other distilled Spirituous Liquors, not mentioned and contained in the said Account, shall forfeit all such Liquors, and the Value thereof shall be applied to the Uses in this Act mentioned.

And be it enacted, That all and every Person or Persons having Licence, who shall refuse to admit the Collector or Collectors to inspect their Houses, Shops, Cellars, or other Stores whatsoever, and to take an Account from Time to Time, at his or their Discretion, of all Wine, Rum, or other distilled Spirituous Liquors, in the Possession of such licenced Person or Persons; and shall neglect or refuse to yield strict Obedience to this as well as the before recited Acts, shall be subject to lose their said Licences, and shall also have their Bonds for holding such Licences put in Suit.

And be it further enacted, That before any Person or Persons shall be intituled to a Licence for retailing Wines, Beer, Rum, or other distilled Spirituous Liquors, they shall produce to the Clerk of the Licences at the Secretary's Office, a Certificate from the Quarter Sessions, or from any Two or more of His Majesty's Justices of the Peace for this Province, of their

their having taken the Oaths appointed to be taken instead of the Oaths of Supremacy and Allegiance, and that they have made and subscribed the Declaration.

AND WHEREAS the permitting Persons not licenced to sell any Quantities of Rum, or other distilled Spirituous Liquors, above Three Gallons, without being subject to the Duties of Excise imposed by the first above recited Act, has been a Means of enabling many evil-minded Persons to purchase small Quantities of distilled Spirituous Liquors, and therewith to set up and keep private Tippling-Houses, to the great Encouragement of Idleness and Debauchery, and Diminution of the Revenues.

For preventing of which, and augmenting the Funds established for Encouragement of Labour and Industry within this Province, We do hereby grant unto His Majesty his Heirs and Successors, the following additional Duty of Excise;

Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of February, which will be in the Year of our Lord One Thousand Seven Hundred and Sixty, every Person not licenced, who shall sell, barter or exchange any Rum, or other distilled Spirituous Liquors, in any Quantity less than twenty-five Gallons, shall pay after the Rate of six Pence per Gallon for every Gallon of Rum, or other distilled Spirituous Liquors, so sold, bartered, or exchanged.

And be it further enacted, That all and every Person or Persons who shall sell, barter, or exchange any Rum, or other distilled Spirituous Liquors, without Licence, in less Quantities than twenty-five Gallons, shall at the Expiration of every three Months, from and after the said first Day of February, deliver in to the Collectors or Receivers appointed to collect and receive the said Duties, a just and true Account upon Oath, of the Quantity of Rum, or other distilled Spirituous Liquors, sold, bartered, or exchanged, under twenty-five Gallons, during the three Months then last passed, by them, or any Person or Persons under them, or by their Order; and shall at the same Time pay to such Collectors or Receivers as aforesaid, the Duty due thereon; which Oath such Collectors or Receivers are hereby impowered to administer in the following Words;

“ YOU A. B. do swear that the Account now delivered in by you contains a just and true Account of all the Rum, and other distilled Spirituous Liquors that have been sold, bartered, or exchanged by you, or any Person or Persons under you, or acting for you, or by your Order, under twenty-five Gallons, between the Day of and the Day of , to the best of your Knowledge.”

And be it enacted by the Authority aforesaid, That all Persons not licenced, intending to sell, barter, or exchange any Rum, or other distilled Spirituous Liquors, in any Quantities less than twenty-five Gallons, shall, before they do make any such Sales, Barters, or Exchanges, give

(4)

• Notice in Writing, of such their Intentions to the said Collectors or Receivers of the *Excise Duties*, and shall give Security for Payment of the said Duties if required; and shall also take the *Oaths* appointed to be taken by Persons selling with Licence.

And it is hereby enacted by the Authority aforesaid, That all and every Person or Persons, not licenced, who shall sell, barter or exchange any *Rum*, or other distilled *Spirituos Liquors*, in any Quantity under *twenty five Gallons*, and shall neglect or refuse to yield strict Obedience hereunto, in rendering such Accounts on Oath, making such Payments, and giving such Notice as aforesaid, shall forfeit and pay the Sum of *Twenty Pounds*.

And be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend to permit Persons not licenced, to sell any *Rum*, or other distilled *Spirituos Liquors* in any Quantities less than *three Gallons*.

Provided, That nothing in this Act contained shall extend, or be construed to extend to prevent or debar any Merchant, Shop keeper, or other Person not licenced to retail *Rum*, or other distilled *Spirituos Liquors*, from selling, bartering, or exchanging, any Quantity of such Liquors, not less than *twenty-five Gallons*, to be delivered at one and the same Time.

Provided also, That nothing in this Act contained, shall extend or be construed to extend, to debar or prevent any Person or Persons from supplying any Fishermen, actually employed by such Person or Persons in the Fishery, with a necessary Quantity of *Rum* or other *Liquors*; during the Time of the Fishing Season.

AND WHEREAS some Doubts have arisen, to whom the Justices are to account for that part of the Fines and Forfeitures belonging to His Majesty, arising from the Penalties inflicted by the above-recited Act, intituled, "An Act for the discovering and more effectually suppressing unlicenced Houses."

Be it therefore enacted by the Authority aforesaid, That such Part of all Fines and Forfeitures, arising from the said Act, as well as from this Act, belonging to His Majesty, shall, by the Justice before whom the said Fines and Forfeitures are recovered, be accounted for and forthwith paid into the Hands of the Treasurer of the Province.

And be it further enacted, That all the Penalties and Forfeitures, arising or accruing by this Act, or the before recited Acts, shall be one Half to His Majesty, for the Uses and Intents for which the additional Duty of Excise by this Act imposed, is granted, and the other Moiety to the Person or Persons who shall inform or sue for the same; and shall be recovered with Costs, by *Action of Debt, Bill, Complaint, or Information*, in any of His Majesty's Courts of Record in this Province.

And

And it is hereby further enacted, That the two Acts above recited, with these Amendments and Additions, shall continue and be in Force for and during the Space of *four Years*, from and after the said *first Day of February, One Thousand Seven Hundred and Sixty*, and until the End of the first Session of the *General Assembly* then next following.



An Act for laying a Duty of Excise of Three Pence per Gallon on all Rum, and other Spirituous Liquors distilled within this Province, and for granting a Bounty on the Exportation thereof.

HERE AS the Fund arising from the several Duties of Impost and Excise, granted unto His Majesty by the General Assembly of this Province, for the Encouragement of Labour and Industry, and to defray the other necessary Expences of the Government, as set forth in the Acts for granting said Duties, will be insufficient to answer the said Intents and Purposes.

WE do therefore hereby grant unto His most excellent Majesty, His Heirs and Successors, for the Uses mentioned in the said several Acts, the Rates and Duties herein after mentioned.

Be it therefore enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the *fifteenth Day of January*, which shall be in the Year of our Lord *One Thousand Seven Hundred and Sixty*, there shall be paid, *Three Pence per Gallon* on all *Rum*, and other *Spirituous Liquors*, distilled within this Province, (the same being sold, bartered or exchanged) by the *Distiller* thereof, to the *Collector or Receiver, or Collectors or Receivers* of the *Impost and Excise* for the Time being, or either of them; and all and every *Distiller or Distillers of Spirituous Liquors*, are hereby required, once in every *Three Months*, to render to the *Collector or Receiver* or to the *Collectors or Receivers* aforesaid, a just and true Account in Writing, upon Oath, (which Oath the said *Collector or Receiver* or the *Collectors and Receivers* aforesaid, and each of them, are hereby authorized to administer.) of the Quantity and Kind of *Spirituous Liquors* so distilled and sold, bartered, or exchanged, during the *three Months* then last past, by him or them, or any Person or Persons under him or them, or by his or their Orders; and pay the Duty thereof to the said *Collector or Receiver, or Collectors or Receivers* aforesaid, provided the Sum does not exceed *Ten Pounds*; but if the Sum shall exceed *Ten Pounds*, the *Collector or Receiver* or *Collectors or Receivers* are hereby authorized and directed, on sufficient Security being given, to give Credit for Payment thereof within the Term of *Three Months*.

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OATH to be taken by the *Distiller*, on rendering his Account.

“ YOU A. B. do swear, that the Account now delivered in by you, contains a just and true Account of all the Rum, and other Spirituous Liquors, distilled, sold, bartered, or exchanged, 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 _____.”

And be it enacted by the Authority aforesaid, That any *Distiller* neglecting or refusing to tender a just and true Account, in Manner as herein before directed, every three Months, from and after the said *fifteenth Day of January, One Thousand Seven Hundred and Sixty*, of all such Rum, and other Spirituous Liquors, by him *Distilled*, and sold, bartered or exchanged, and pay the Duties thereof as by this Act imposed, shall forfeit and pay the Sum of *Three Hundred Pounds*, to be sued for by the Collector or Receiver, or Collectors or Receivers aforesaid, and recovered in any of His Majesty's Courts of Record, by *Bill, Plaint, or Information*, and the Money arising from such *Forfeitures*, shall be *two Thirds* to His Majesty, for the Uses and Intents for which the aforesaid Duty is granted, and the other *Third* to the Person suing for the same, the whole Charge of Prosecution to be taken out of the said *one Third*.

AND WHEREAS it is found expedient and necessary for the Encouragement of Trade in the Province, that no Part of the aforesaid Duty paid by the *Distillers* of Spirituous Liquors, should be detained on Exportation thereof out of the Province.

Be it enacted by the Authority aforesaid, That from and after the said *fifteenth Day of January, One Thousand Seven Hundred and Sixty*, a Bounty of *Three Pence* per Gallon shall be paid to the Exporter of all Rum, or other Spirituous Liquors, which shall have been *distilled* within the Province after the said *fifteenth Day of January, One Thousand Seven Hundred and Sixty*, and which shall have paid or secured to be paid the Duty imposed by this Act, which Bounty shall be paid in like manner, and on the same Conditions, on which the *Drawback* is allowed by an Act intitled, “ *An Act for allowing a Drawback of Part of the Impost Duty on Wines, Beer, Rum, and other distilled Spirituous Liquors, on their being exported out of the Province.*”

And for the better preventing Frauds herein, The following Oath shall be taken for the future, by every such Exporter of any Rum, or other Spirituous Liquors, distilled as aforesaid, (which Oath the Collector or Receiver or Collectors or Receivers as aforesaid, or either of them, are hereby authorized to administer) instead of the Oath to be taken as specified in the Act for allowing the said *Drawback*.

“ YOU

“ YOU A. B. do swear, that the Quantity of by you
 “ shipped for Exportation on board the Master,
 “ bound for. was really and Bonâ fide purchased of
 “ and that the same is not intended to be fraudulently re-
 “ lated into any Port or Place in this Province.”

And be it enacted by the Authority aforesaid, That if any Rum, or other distilled Spirituous Liquors, shall be fraudulently reloaded into any Port or Place of this Province, after shipped for Exportation, the same shall be forfeited, together with the Vessel out of which the said Rum, or other distilled Spirituous Liquors, shall have been so fraudulently reloaded. And the said Forfeiture to be recovered by Bill, Complaint, or Information, in any of His Majesty's Courts of Record, and the Money arising from such Forfeitures, after deducting the Expences of Prosecution and all incident Charges, shall be Two Third parts to His Majesty, for the Uses for which the aforesaid Duty is granted, and the other One Third part to the Person or Persons suing for the same.

And it is also further enacted, That all Rum, or other Spirituous Liquors, which shall be distilled within the Province, after the said fifteenth Day of January, One Thousand Seven Hundred and Sixty, which shall have paid or secured to be paid the Duty imposed by this Act, and which shall be issued to His Majesty's Ships of War for the Use of His Majesty, be deemed so far an Exportation thereof, as to be intitled to a Bounty of Three Pence per Gallon; And the Treasurer of the Province is hereby authorized and directed to pay the same out of the Funds arising from the aforesaid Duty, upon the Person or Persons (issuing such Rum, or other Spirituous Liquors to any of His Majesty's Ships) making Oath to the Delivery thereof, and producing a Certificate from the Collector or Receiver, or Collectors or Receivers as aforesaid, that the Duty thereof has been paid, or secured to be paid; and also producing a Certificate from the Commander and other signing Officers of such His Majesty's Ship or Ships, of the Quantity and Kind of such Spirituous Liquors, and that the same was actually received on board the said Ship or Ships, for His Majesty's Use, and no other.

And be it further enacted, That the Collector or Receiver, or Collectors or Receivers as aforesaid, shall render an Account of and pay to the Treasurer of the Province, all such Monies by him or them received in Pursuance of this Act, at such Times and in like Manner as hath heretofore been practised by the Collectors of the Impost and Excise.

AND WHEREAS the Allowance to the Collector or Receiver, or Collectors or Receivers as aforesaid, will become a Charge to the Government on all such Rum or other Spirituous Liquors, distilled in this Province, which shall be exported or issued to His Majesty's Ships; as a Bounty equal to the whole Duty thereon, is to be paid on Exportation thereof;

Be it enacted by the Authority aforesaid, That the Collector or Receiver, or Collectors or Receivers of the Impost and Excise, shall make good and pay back to the Treasurer of the Province such his or their Allow-

and which he or they may have received on the *Duty* of any *Rum*, or other *Spirituuous Liquors* distilled in this Province, so exported or issued to His Majesty's Ships, for which the *Bounty* shall have been paid agreeable to this Act.

And be it further enacted, That this Act shall continue and be in force for the Term of *Four Years* from the said *fiftieth* Day of *January*, *One Thousand Seven Hundred and Sixty*, and until the End of the Session of the *General Assembly* then next following.



An Act for erecting a *Market-House* within the Town of *Halifax*, and for raising a Sum of Money by *Lottery* for that Purpose.

Disapproved.                         *HERE AS* great Advantages will accrue, as well to the Inhabitants of the Town of *Halifax*, as to Persons importing Provisions from the Colonies, by the erecting a *Market-House*, where such Provisions may be exposed to public Sale;

Be it enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Honourable *John Collier*, *Thomas Saul*, and *Richard Bulkeley*, Esqs; and *Joshua Manger*, Esq; *Malachy Satter*, Esq; *Mr. Benjamin Gerrish*, *Mr. Deschamps*, *Mr. Binney*, and *Henry Newton*, Esq; (any five of whom to be a *Quorum*) shall be, and are hereby constituted and appointed Commissioners for Designing, Erecting, Ordering and Building such *Market-House*.

And forasmuch as the Erecting and Building the said *Market-House*, will be attended with considerable Charge and Expence.

Be it therefore enacted by the Authority aforesaid, that for and towards raising a Sum not exceeding *Four Hundred Pounds*, for the Purpose beforementioned, it shall and may be lawful for any Person or Persons whatsoever to purchase *Tickets*, and become Adventurers in a *Lottery*, according to the Plan or Scheme hereafter mentioned, for the raising the said Sum of *Four Hundred Pounds*.

SCHEME.

S C H E M E,

	Dollars	Dollars
1 Prize of	1000	1000
1 " "	500	500
5 "	100	500
10 "	50	500
25 "	20	500
100 "	8	800
1050 "	4	4200
<hr/>		<hr/>
1192 Prizes		8000
3608 Blanks		<hr/>
		Dollars
4800 Tickets at two Dollars each, is		9600
To be paid in Prizes		8000
		<hr/>
Remains to be applied to the Purpose aforesaid		1600

And be it enacted, That the Persons herein before named as *Commissioners* for Designing, Erecting, ordering, and Building the said *Market-House*, be also the *Commissioners* for managing the *Lottery*; who are to give Security to the *Treasurer* of the Province, for the faithful Performance of their Trust, and also to account with him for the Monies received and paid in Pursuance thereof. And they are also hereby impowered to proceed to publish the *Scheme* as above, and to dispose of *Tickets*, and collect the Money for said Purpose; and to do all other Matters and Things relative to the conducting and finishing the same.

And be it further enacted by the Authority aforesaid, That the Persons purchasing *Tickets* and being Adventurers in the said *Lottery*, shall be hereby intitled to receive from the said *Commissioners* (who are hereby directed to pay the same) the Sum or Sums of Money, that shall become due by Virtue of such *fortunate Tickets*, within *Twenty Days* after the Drawing of the said *Lottery* is finished, and that without any Deduction therefrom whatsoever.



An Act to enable Proprietors to divide their Lands held in common and undivided.

Be it enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Proprietors of any Tracts of Land within this Province, held by them in common and undivided, shall and are hereby impowered (according to each stated Proposition) to order, improve by fencing and diking, or divide in such Way and Manner as shall be concluded and agreed on by the major Part of the Interested present.

And be it further enacted, That when and so often as any five or more of the Proprietors of such common Lands shall judge a Proprietor's Meeting to be necessary, they may make Application to a Justice of the Peace within the same County where such Lands lie, for a Warrant for the Calling of a Meeting, expressing the Time, Place, and Occasion thereof; and such Justice is hereby impowered to grant a Warrant for Meeting accordingly, directed to one of the Proprietors, requiring him to notify the Time and Place of such Meeting; which Notification shall be published in the Weekly News-Paper, and posted up in some public Place within the Town or Precinct where the Lands lie, *Thirty Days* before the Day appointed for the Meeting; and such and so many of the Proprietors as shall be assembled and met accordingly, shall have Power, by a major Vote, to choose a Clerk, to enter and record all Votes and Orders that from Time to Time shall be made and passed in the Proprietors Meetings, or their Committees; which Record shall be open for the Inspection of any of the Proprietors or their Agents, when and so often as they shall require it; and the Clerk or Keeper of said Record, at any Time refusing such Inspection, shall forfeit and pay the Sum of *Five Pounds* for every such Refusal, to be recovered in any of His Majesty's Courts of Record, for the Use of the Poor of the Township: And the said Clerk shall be sworn before one of His Majesty's Justices of the Peace to the faithful Discharge of his Office; and the said Proprietors to agree upon and appoint any other Way and Method of calling and summoning Meetings for the future, as shall be most suitable and convenient to the Proprietors; and also to appoint a Number of the Proprietors as a Committee for transacting the Business of the Proprietors, as also to pass Orders for the managing, improving by fencing and diking, or dividing such common Lands; the Voices always to be collected and numbered according to the Interests present where the same is known.: *Provided always,* That no other Affairs shall be transacted at any Meeting of the Proprietors, than what is expressed in the Warrant or Notification for such Meeting.

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His Majesty

And be it further enacted, That when and as often as such Proprietors shall agree upon a Division of the Whole or any Part of their common and undivided Lands, a Schedule of the same shall be fairly drawn out, expressing the Number, Limits, and Contents of each Lot, and the Name of the Proprietor to whom the same is allotted, which shall be subscribed by the Clerk and Committee of the said Proprietors, and shall be registered in the public Registry of this Province within Six Months after such Division shall be made; and shall thenceforward be as effectual to confirm the Title of each Proprietor to the said Lands so registered, as if the same had been done by Deeds of Partition.

Provided always. That when any Lands are to be laid out and survey'd for Division, by Order of the Proprietors, such Division shall always be made by Lot, and any Person or Persons who shall be impowered, may draw for any absent Proprietor or Proprietors; and in case any of the absent Proprietors shall neglect to impower some Person or Persons for that Purpose, then, in such Case, it shall be lawful for the major Part of the Proprietors present to appoint a Person or Persons to draw for such absent Proprietor or Proprietors.

Provided also. That when the Number of Proprietors in any Grant shall not exceed Ten, then and in such Case, any One or more of the said Proprietors present, may make the like Application to a Justice of the Peace within the County where such Lands lie, and proceed as is directed by this Act, in the Case where a greater Number of Proprietors are concerned.

An A C T in Addition to an Act, intituled, *An Act relating to the Assize of Bread, and for ascertaining the Standard of Weights and Measures;* made and passed in the 32^d Year of His Majesty's Reign.

BE it enacted by his Excellency the Governor, Council and Assembly, and by the Authority of the same it is hereby enacted, That from and after the first Day of May, 1760, no Provision or Goods of any Kind shall be sold within the Province, by Stillyards (except the Article of Hay) under the Penalty or Forfeiture of Twenty Shillings, to be paid by the Person or Persons offending, for each and every Default, and to be recovered before any of His Majesty's Justices of the Peace.

And it is further enacted by the Authority aforesaid, That the Clerks of the Market are hereby impowered to inspect all Beams and Scales, Weights and Measures, as well of Brass as of other Metals, and also the Stillyards used for weighing Hay, once in every Three Months, or oftener,

ner, as they shall see Cause; not only those used by the Inhabitants, selling publickly by Weights and Measures, but also those used on board any Ships or Vessels lying at any Wharves, or at Anchor in any Harbour, or by any Person or Persons selling as aforesaid within the Province, and the same to assay and stamp, and dispose of as in said Act is directed, and under the same Penalties: And all Masters of Ships or Vessels refusing Admittance to the said Clerks of the Market, shall be liable to the same Penalties as any Inhabitant, in Manner and Form as prescribed by said Act, and to be recovered in the same Manner.

And it is also further enacted, that all Fines and Forfeitures incurred by this, or the former recited Act, shall be applied, *Three Fourths* to the Clerk of the Market, and the other *Fourth* to the Poor of the Town where the Offence shall be committed.

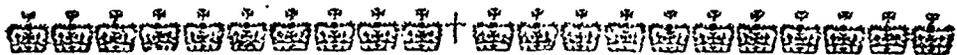


An ACT, to prevent the importing disabled, infirm, and other useless Persons into this Province.

Cap.

is paid by His Majesty's Court

BE it enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the *First Day of May* next, every Master of any Vessel, who shall bring into this Province, any disabled, infirm, or other useless Person, shall, when required by the *Overseers of the Poor*, give sufficient Security to the said *Overseers* and their successors, for the Payment of the Sum of *Thirty Pounds* for every Person so brought; conditioned that each such Person shall not become chargeable to the Province within *One Year* next after their Arrival; and that any Master bringing such Persons as aforesaid, who shall refuse to give such Bond, shall forfeit and pay the Sum of *Thirty Pounds*, to be recovered by Action of Debt in the Name of the *Overseers of the Poor*, and for the Use of the *Poor*, in any of His Majesty's Courts of Record within this Province.



An ACT to prevent disorderly Riding Horses and Driving Carts, Trucks, and Sleds, Slays or any other Carriage whatsoever, within the Town of Halifax, or any other Town within the Province.

IN Order to prevent the Inconveniencies and Mischiefs which might arise from the negligent and disorderly Riding Horses and Driving Carts, Trucks, and Sleds for Carriage of Burthen, or any other Carriage whatsoever, within the Town of Halifax, or any other Town within the Province: Be

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Be it enacted by his Excellency, the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the Publication hereof, no Person or Persons shall, on any Pretence whatever, gallop or ride at full Speed on Horseback, or having the Charge of driving any Horse or Horses, in any Cart, Truck or Sled, shall ride upon such Horse or Horses, or remain placed in or upon any part of such Cart, Truck or Sled, within any of the Streets or Highways of the said Town or Towns, and that no such Driver or Drivers shall omit, during such Time, to lead the Shaft or Thill Horse by an Halter, not exceeding four Feet in Length, or shall drive any such Horse or Horses faster than a Foot-pace, upon penalty of *Ten Shillings* for every such Offence, to be paid upon Conviction by the Testimony of *one* credible Witness, before any *one* of His Majesty's Justice of the Peace, within *Twenty-four Hours* after such Offence committed; and in case of any such Offender's Refusal to pay the same, said Offender shall be put to Labour for the Space of *Four Days* in repairing the said Highways, under the Direction of the Surveyor or Surveyors of the Highways, or any of them; and in case of Refusal or Neglect to perform such Labour, it shall and may be lawful for any Justice of the Peace, upon Complaint of the said Surveyor or Surveyors, or any of them, to cause such Offender to be committed to the House of Correction, where he shall forthwith receive *Ten Stripes*, in the usual Manner of correcting Offenders at the said House, and thereupon be discharged.

And be it further enacted, That every Owner or Proprietor of any Sled or Slay, used either for Carriage of Goods or Persons, shall cause at least six Horse-Bells to be affixed to the Horse Harness of the said Sled or Slay, and shall not drive the same, or any other Carriage whatsoever, in a disorderly Manner, upon penalty of *Twenty Shillings* for every Omission or Offence, upon Conviction, on the Oath of *one* credible Witness, before any *one* of His Majesty's Justices of the Peace, within *Twenty-four Hours* after such Offence committed; and in case of Refusal or Neglect to pay the same, to be levied on the Goods or Chattles of such Offender, by Warrant of Distress and Sale, under the Hand and Seal of the said Justice.

All Fines and Penalties incurred by this Act, to be paid into the Hands of the Surveyors of the Highways for the Time being, to be by them applied towards the Repairing and amending the same.





An ACT in Addition to an Act intituled, *An Act for regulating Petit Juries, and declaring the Qualification of Jurors.*

BE it enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That from and after the Publication hereof, no Person shall be deemed qualified to serve as a *Grand Juror* for the County of *Halifax*, at the *Supream Court*, or at the *Sessions of the Peace* for the said County, unless such Person shall be possessed of a *Freehold* in the said County, of the clear yearly Value of *Ten Pounds*, or of a *Personal Estate* of the Value of *One Hundred Pounds*.

Cap. 14

And be it further enacted, That the *Provost Marshal* of the said County, sh. P. every Year, *To wit*, On or before the *Ten* Day, of *April*, make Return of *Fifty-five* Persons, so qualified as aforesaid, to the *Clerk* of the *Supream Court*, who shall thereupon cause the Names of the Persons to returned to him, to be written on distinct *Pieces* of Paper or Parchment, as near as may be of equal Size, which shall be severally rolled up in the same Manner, and put into a Box to be locked up by the said *Clerk*; and *Ten Days* before the Sitting of the *Supream Court*, the said *Clerk* shall publicly in the Presence of the *Chief Justice*, at the *Court-House*, draw *Twenty-three* of the said Papers or Parchments, and *Eight Days* before the Sitting of the said Court, a *Precept* shall issue in the usual Form, containing the Names of the Persons to drawn, to the said *Provost Marshal* or his *Deputy*, requiring him to summon the said Persons to attend as *Grand Jurors* at each of the two *Sittings* of the *Supream Court* next following, and to make due Return of the same, and at the End of the *first Term*, the said Box be delivered to the *Clerk of the Peace* of the said County, who shall in like Manner, in the Presence of the *Chairman* of the *General Quarter Sessions*, draw *Sixteen* Papers or Parchments, *Ten Days* before the Meeting of the then next *Quarter-Sessions*; and the Persons so drawn shall be summoned and returned as aforesaid, to attend the said Court of *Quarter-Sessions* at each of their two next *Sittings* as *Grand Jurors*; and the remaining *Sixteen* Persons, shall in like Manner, be summoned and returned to serve as *Grand Jurors* at each of the two next *Quarter-Sessions* ensuing the *Quarter-Sessions* aforesaid.

And be it further enacted, That if any Person so summoned, shall refuse or neglect to appear on the *first Day* of the Sitting of the said respective Courts, unless prevented by *Sickness* or other necessary Cause, to be judged of by the Court, it shall and may be lawful to impose a *Fine* of *Five Pounds* on the Person so neglecting to appear; or if any Person who shall appear, shall, without just Cause to be allowed by the Court, be absent, it shall and may be lawful to impose a *Fine* of *Twenty Shillings* for each *Day's* Absence; and in case such *Fines* shall not be paid

in *Two Days* after imposing the same, to the said *Clerks* respectively, the same shall be levied by Warrant or Distress, to be forthwith issued from the Court wherein such *Fine* was imposed, and shall be deposited with the *Clerk* of such Court, and within *Two Days* after the Rising of the said Courts, the said *Fines* shall be paid to the Treasurer of the Province, for the Use of His Majesty.

And be it further enacted, That if a sufficient Number shall not appear upon such Summons, for constituting a *Grand Jury*, the said *Clerks* shall be directed to draw in open Court, so many of the remaining Papers or Parchments, as shall be requisite for that Purpose, and the Persons whose Names are contained in the same, shall be immediately summoned by the Provost-Marshal or his Deputy, to attend as *Grand Jurors*; and the Papers or Parchments containing the Names of those who shall not appear, shall be forthwith returned into the said Box, and the said Persons shall be liable to the like *Fines* for *Non-Appearance* or *Absence*, to be levied and paid as herein before directed.

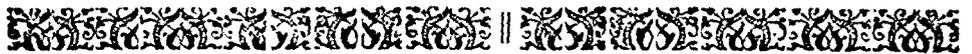
And be it further enacted, That no Person who hath served as a *Grand Juror*, at *two Terms* of the *Supream Court*, or at *two Terms* of the *Quarter Sessions*, shall be compelled to serve as *Petit Jurors* within *one Year* from the Time of such his Attendance as a *Grand Juror*.

And be it further enacted, That no *Papist* shall serve or be returned to serve on any *Grand Jury*; and that in all Trials of Issues on any *Presentment*, *Indictment*, or *Information*, it shall be lawful to challenge any *Papist* returned as a *Juror* to try the same, and such Challenge shall be allowed.

And be it further enacted, That in all Cases where it shall be judged necessary to hold a special *Supream Court* or *Court of Sessions*, it shall and may be lawful for the said Courts to issue a *Precept* and *Venire* for summoning *Grand* and *Petit Jurors*, in the same Manner as has been practiced before the making of this or the said former Act for regulating *Petit Jurors*, and declaring the *Qualifications* of the same.

England

And be it further enacted by the Authority aforesaid, That *Grand-Juries* shall not be obliged to attend more than *Six Days* at each *Term* of the *Supream Court*, nor more than *Three Days* at each *Term* of the *Quarter-Sessions*, unless upon some special Occasion; and that *Petit Juries* shall not be obliged to attend more than *Ten Days* from the *first Day* of the *Jury's* being sworn, at either of the said Courts.



An ACT for the better and more effectual Establishment of the *Church of England* in this Province.

Be it enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That hereafter when any Church, Chapel, or Place of Worship shall be erected in any Part of this Province, for the Celebration of Divine Service, according to the Rites and Ceremonies of the *Church of England*, it shall and may be lawful for

His

His Excellency the Governour or Commander in Chief, with the Advice and Consent of His Majesty's Council, to prescribe Limits and allot a certain District, which shall be the Parish of the Church so erected; and it shall and may be lawful for the Inhabitants or Persons residing within the said District, to meet for the Choice of *Church-Wardens, Vestry, and Parish-Officers*, which Choice shall be made yearly, and at the same Time and Manner as is prescribed already for the Parish of *St. Paul's* in *Halifax*; and all Meetings, Acts and Proceedings of the *Parishioners, Church-Wardens, Vestry, and Parish-Officers* of said *Parish* so erected, in Behalf of the said *Church and Parish*, shall be according to the Rules and Regulations set forth for *St. Paul's Church* in *Halifax*, in an Act intitled, *An Act for the Establishment of Religious publick Worship in this Province, and for suppressing of Popery.* And the said *Church-Wardens and Vestry* are hereby impowered to act in the same Manner, in all Cases as is prescribed in said Act.

And be it further enacted, That the *Church Wardens* of every Parish within the Province, together with the *Overseers of the Poor*, shall have and exercise the same Powers and Authorities in every Respect as are given to the *Overseers of the Poor*, by an Act intitled, *An Act for regulating and maintaining an House of Correction or Workhouse within the Town of Halifax, and for binding out poor children*; and also by an Act intitled, *An Act for the Relief of the Poor in the Town of Halifax.*

An ACT for regulating the Rates and Price of Carriages.

Whereas the Rates and Price demanded by the Owners of Trucks, Carts, and other Carriages of Goods, Wares and Merchandize, are very exorbitant and excessive, and burthensome to Trade: In order, therefore, to reimeay the same;

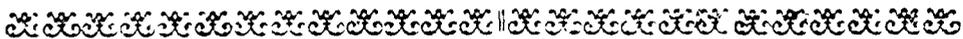
Cap. 10

Be it enacted by his Excellency the Governour, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Justices in their General Sessions of the Peace, held for the County of *Halifax*, shall twice every Year, in the Month of *March* and in the Month of *September*, regulate the Fares and Rates for the Carriage of *Wood, Barrells, Hogshéads*, and other Wares and Merchandize in the Town of *Halifax* and its Suburbs, Consideration being had to the Price of *Hay, Provender* for the Cattle, and Price of *Day-Labourers*; and shall cause a Table of the several Rates agreed upon by them at their Sessions to be printed and posted up in the most public Places in and about the Town of *Halifax*.

And be it further enacted, That if any Carman or Owner of Trucks or Carts, or any other Carriage, shall ask, demand, or receive, from any Person, any other or greater Rates or Fare, than is allowed and prescribed by the Table aforesaid, he or they shall forfeit and pay the Sum of *Twenty*

Twenty Shillings, to be recovered on the Oath of the Prosecutor, before any one of His Majesty's Justices of the Peace for the County of *Halifax*, and to be levied by Warrant of Distress: One Half to be paid to the Prosecutor, the other Half to be applied to and for the mending of the Streets of *Halifax*.

And Be it also further enacted, That the Justices of the Peace at the *Quarter Sessions*, held in and for the several Counties within the Province, are also impow'ered and hereby required every Year, in the Months of *March* and *September*, to regulate the Fares and Rates of *Carriages* for the several Towns in each of the said Counties, in like Manner and with the same Penalties, and to be recovered as is directed by the preceding Clauses of this Act; one Half of the Fines and Forfeitures to be paid to the Prosecutor, and the other Half applied to and for mending and repairing the Streets of the Town where such Offence shall be committed.



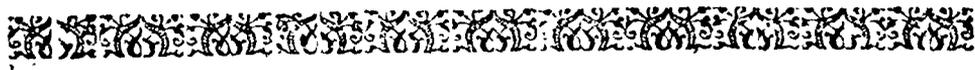
An ACT in Addition to an Act, intituled, *An Act for the Relief of the Poor in the Town of Halifax*: Made and passed in the 33^d Year of His Majesty's Reign.

HERE AS upon a Representation from the Overseers of the Poor for the Town of *Halifax*, it appears that the Method prescribed by the Act intituled, *An Act for the Relief the of Poor in the Town of Halifax*, (especially such Poor as are not proper Objects for the Workhouse) is ineffectual, For Remedy whereof;

Be it enacted by his Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Sum of *One Hundred Pounds* shall be assessed upon the Inhabitants of the Township of *Halifax* aforesaid, for this current Year; which Assessment shall be made by an Act of the *Church-Wardens* and *Vestry* of the Parish of *St. Paul's*, subscribed by the *Church-Wardens*, and a Majority of the said *Vestry*, at two Assessments, at the Discretion of said *Church-Wardens* and *Vestry*; and which Sum so assessed by said *Church-Wardens* and *Vestry*, the said Overseers of the Poor are hereby impow'ered and directed to collect and receive from the Inhabitants of said Township, according to their respective Rates as assessed; and in case any of the said Inhabitants shall refuse to pay the Sum they are so assessed in, then said Overseers are hereby impow'ered to levy the same by Warrant of Distress, under the Hand and Seal of any *One* of His Majesty's Justices of the Peace, against the Person refusing to pay the same.

Provided always, that if any Person shall think himself aggrieved by said Assessment, he may bring his Complaint to the next *General Court of Quarter Sessions*, where the same shall be finally determined.

And it is further enacted, That said Overseers of the Poor are hereby required and directed to account upon Oath, for all such Money as they shall receive by Virtue of this Act, to said Church Wardens and Vestry.



An ACT to prevent any private Trade or Commerce with the Indians.

Cap.
Appeals
His Majesty
in Council

WHEREAS Articles of Peace have been concluded by and between his Excellency the Governor, in Behalf of his Majesty, and the Indian Delegates from the Tribes of St. John's River and Palmarquadie, in the Bay of Fundy, and Part of the Tribes of the Micmacs, whereby said Tribes have obliged themselves not to trade with any Person or Persons whatsoever, but such as shall be appointed Truck-Masters or licenced for that Purpose, by the Governor, Lieutenant-Governor, or Commander in Chief of the Province for the Time being.

And for the better and more effectual carrying on a Trade and Commerce with the said Indians, according to the said Articles, and to prevent private Persons from carrying on any separate Trade, Commerce, or Dealings whatsoever with the said Indians;

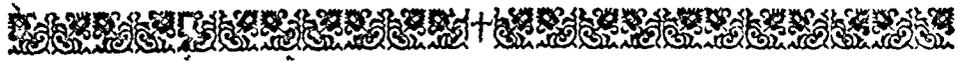
-Be it enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is her by enacted, That from and after the twenty-fifth Day of May, 1760, no Person or Persons whatsoever, other than such as shall be appointed Truck-Masters, by His Excellency the Governor, Lieutenant Governor, or other Commander in Chief for the Time being, or Persons licenced by them or either of them, for that Purpose, shall or may presume by themselves or any others for them, directly or indirectly, to buy, sell, truck, barter, exchange, give, or receive in Gift, any kind of Provisions, Goods, or Merchandize whatsoever, to or from any of the aforesaid Indians, or to or from any Person or Persons in their Name or for their Account, on the Penalty of forfeiting the Sum of Fifty Pounds Sterling for each and every Offence, and also the Commodities so clandestinely bought or bartered for.

And be it further enacted, by the Authority aforesaid, That from and after the said 21st of May 1760, the Master of any Ship or Vessel, or any Mate, Mariner, or Passenger, on board any Ship or Vessel in any Bay, Harbour, Port, River, or Creek, within the Province, or upon the Coasts thereof, who shall be found or convicted of trading with the said Indians, contrary to the Tenor or Effect of this Law, that then the Master of such Ship or Vessel shall forfeit the Sum of One Hundred Pounds Sterling, and suffer Twelve Months Imprisonment; and the Vessel carrying such Goods for trading with said Indians, with all her Appurtenances, shall be forfeited, together with all such Goods as shall have been so illicitly purchased of, or bartered for with the said Indians; and it shall and may be lawful for any of His Majesty's Justices of the Peace in the said Province, or any Officer commanding any Fort or Garrison

rison in said Province, or any of the said *Truck-Masters*, in case no such Justice be resident at or near such Fort or Garrison, upon Information either by the said *Indians* themselves, or any other Person or Persons whatsoever, made of such illicit Trade, to apprehend the said Master, and keep him in Custody, and to detain the said Vessel and Goods so illicitly purchased of or bartered for with the said *Indians*, until the said Matter be fully enquired into, and finally determined; and all His Majesty's Justices of the Peace, Officers of Forts and Garrisons, and *Truck-Masters*, and all His Majesty's Subjects within said Province, are hereby required and directed to aid and assist in the due Execution of this Act.

And it is also hereby enacted, That all Fines, Forfeitures, and Penalties incurred by this Act, shall be recovered by Bill, Plaint or Information, in any of His Majesty's Courts of Record in this Province, (except in the Case where any Ship or Vessel may be deemed liable, in which Case the same shall be tried and determined in His Majesty's Court of *Vice-Admiralty*) and shall be paid *one Half* to the Treasurer of the Province for the Use of the Government, and the other *Half* to the Informer, who shall sue for and recover the same.

And it is also further enacted, That this Act shall continue and be in Force for and during the Term and Space of *Two Years*, from and after the said *Twenty-first* Day of *May*, 1760, and no longer.



An ACT in Addition to an Act, intituled, *An Act for preventing Trespasses.*

WHEREAS by an Act made and passed in the Thirty-second Year of His Majesty's Reign, intituled, *An Act for preventing Trespasses*, it was enacted, " That it should be lawful to impound any Swine going at large, within the Streets, Lanes, or Suburbs of the Town of Halifax ;" And whereas no Provision was therein made for inclosing Ground for a Pound ;

Be it therefore enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That a Pound shall be forthwith made of *Forty Feet* square, at the public Expence, and that the *Grand Jury* of the *Supream Court*, to be held in *April* next, shall appoint a Keeper of the same.

And be it further enacted by the Authority aforesaid, That if any Damage shall be done by breaking any Inclosures, and destroying any of the Produce thereof, by any Horses, Sheep, Goats, Swine, or Neat Cattle, it shall and may be lawful for the Person or Persons whose Fence or Fences shall have been so broken, and whose Inclosures shall have received such Damage, to cause the said Horses, Sheep, Goats, Swine, or Neat Cattle, to be impounded until the Owner or Owners of such trespassing Cattle

Cattle shall claim the same; and the Keeper of the Pound shall cause the same to be Cried as soon as may be, in order that the Person or Persons injured may proceed against the said Owner or Owners of such Horses, Sheep, Goats, Swine, or Neat Cattle, refusing to pay the Damages done by their said Horses, Sheep, Goats, Swine, or Neat Cattle, as is directed in the first Clause of the Act intituled, *An Act for preventing Trespases*, and the Owner or Owners of such Horses, Sheep, Goats, Swine, or Neat Cattle, shall pay to the Keeper of the Pound, over and above the Damages which shall be adjudged to have been done by the said Horses, Sheep, Goats, Swine, or Neat Cattle, for the Support of the same, for each and every Day the same shall be impounded, *One Shilling* for every Horse, and Head of Neat Cattle, and *Six Pence* for every Sheep, Goat, or Swine. And if the Owner of such Horses, Sheep, Goats, or Swine, or Neat Cattle, shall refuse to pay the same to the Keeper of the Pound, together with the Charge of Crying the same, within *fourteen Days* after the same shall be impounded, the said Horse or Horses, Neat Cattle, Sheep, Goats, or Swine, shall be publickly sold, and the Money arising from said Sale, after deducting therefrom the Pay of the Keeper for supporting them, and the Damages done by the said Horse or Horses, Neat Cattle, Sheep, Goats, or Swine, the Remainder shall be paid to the Owner, and if no Owner shall appear, then to the *Overseers of the Poor*, for the Use of the Poor of the Township of *Halifax*.

And Whereas no Provision is made by the said Act for preventing any Rescue of Swine, Horses, Sheep, Goats, or Neat Cattle,

Be it therefore enacted, That if any Person or Persons shall rescue any Swine, Horses, Sheep, Goats, or Neat Cattle, from any *Hogreave*, or other Person driving such Swine, Horses, Sheep, Goats, or neat Cattle to the Pound, the Offender shall forfeit and pay for such *Rescuous*, the Sum of *Twenty Shillings*, over and above all Damages that may be sustained by the Treasures of such Swine, Horses, Sheep, Goats, or Neat Cattle; which Penalty and Damages shall be recovered by the Oath of *one Credible Witness*, before any *One* of His Majesty's Justices, and to be levied by Warrant of Distress, and Sale of the Offender's Goods and Chattels; and if any Person or Persons shall make any *Breach* of the said Pound, or shall by any other indirect Means, deliver any Swine, Horses, Sheep, Goats, or Neat Cattle, out of the same, the Person so offending, being duly convicted thereof before any *Two* of His Majesty's Justices of the Peace, shall forfeit and pay the Sum of *Five Pounds*, to be levied as aforesaid; and the said Penalties for every such *Rescuous*, and *Pound-Breach*, shall be paid to the *Church-Wardens and Overseers of the Poor*, for the Use of the Poor of the Town of *Halifax*, after deducting the Charges of repairing any *Breach* of the Pound.

And Whereas by the said Act it was also enacted, "That the Surveyors of Highways should cause the Streets, Lanes, and Highways of the Town and Suburbs of *Halifax*, to be mended at the Charge of the Proprietors of Lands bordering thereon," but no Provision is made by the said Act for rating and levying such Charges;

Be it therefore enacted, That if any such Proprietor shall not, within
fifteen

fifteen Days Notice from the said *Surveyors*, cause such Part of the Streets, Lanes, and Highways, as border on his Lands to be levelled and repaired according to the Directions of such *Surveyors*, such Person shall forfeit and pay such Sum as shall be certified on Oath, by such *Surveyors*, to be necessary for such Levelling and Repairs; which Sum shall, on such Certificate, be levied by Warrant of Distress and Sale of such Proprietor's Goods and Chattels, to be issued by any *One* of His Majesty's Justices of the Peace; and when no Goods or Chattels are to be found, then and in such Case the *Real Estate* shall be liable.

Provided, That if any Person shall be rated by such Certificate, in any Sum exceeding *Twenty Shillings*, and shall think himself aggrieved, such Person may appeal to the next *General Quarter Sessions of the Peace*, which is hereby empowered finally to determine the same.

And be it further enacted, That the Justices in their *Quarter Sessions of the Peace*, in all other Counties within the Province, shall be empowered, and are hereby directed, to make Regulations for preventing Trespasses, by Horses, Swine, Sheep, Goats, and Neat Cattle, going astray, in Manner as shall be most agreeable to the Circumstances of such County or Townships therein.



An ACT for further prolonging a Resolution of the Governor and Council, revived and put in Force by the *General Assembly* in the 32^d Year of His Majesty's Reign.

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WHEREAS the Resolution or Act of the Governor and Council, revived and put in Force by the General Assembly, intitled, "An Act that foreign Debts should not be pleadable in this Province, unless for Goods imported into the Province, made the 2d Day of February, 1749, in the 23d Year of His present Majesty's Reign," and amended and continued by a Resolution or Act made the 14th of January, 1751, is near expiring; And whereas it is thought highly expedient to continue the same for a further Space of Time;

Be it therefore enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the above recited Resolution, or Act of the Governor and Council, be in Force and continue for the Term of *One Year* from and after the *second Day of October* next, and until the End of the Session of the *General Assembly*, then next-following.

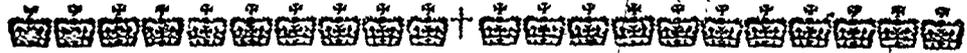


An ACT for extending the Bounty on Stone Walls built, and Hay raised within the Peninsula of Halifax.

HEREAS the BOUNTIES granted to Persons for building STONE WALLS, and raising HAY, within the Peninsula of Halifax, is near expiring, and it is thought expedient to continue the same for a further Space of Time;

Cap. 2

Be it enacted by His Excellency the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Bounties granted for Stone Walls built, and Hay raised on the Peninsula of Halifax, by the above recited Act, be extended and continue for Three Years, from the first Day of November, One Thousand Seven Hundred and Sixty.



An ACT for the summary Trial of Actions.

WHEREAS the Trial of Causes in a summary Way in the County of Halifax, hath been found very useful, and a Means of determining many Suits with little Costs;

Cap. 2

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Be it therefore enacted by the Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted, That the Inferior Courts of Common Pleas within this Province be, and are hereby impowered, in all Causes or Actions 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 Pleas shall be allowed, and to determine therein according to Law or Equity, and to make up Judgment accordingly; subject to an Appeal to the Supream Court, when the Judgment shall exceed Five Pounds, there to be determined in Manner aforesaid.

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 doubtful, in such Case they may order a Jury to be summoned to try the same, any former Law of this Province to the contrary notwithstanding.

This Act to continue for and during the Space of Two Years, and until the End of the first Session of the General Assembly then next following.

