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At the GENERAL-ASSEMBLY of the Province of *Nova-Scotia*, begun and holden at HALIFAX, on the Sixth Day of *June*, Anno Domini 1770, in the Tenth Year of the Reign of our Sovereign Lord GEORGE the Third, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, &c. and there continued by several Prorogations until the Twelfth Day of *October*, Anno Domini 1773, in the Thirteenth Year of His said Majesty's Reign, being the Fifth GENERAL-ASSEMBLY convened in the said Province.

C A P. I.

AN ACT in further Amendment of, and for continuing the several Acts of the *General-Assembly* of this Province, relating to the Duties of Impost and Excise on Beer, Rum, and other distilled Spirituous Liquors and Wines therein mentioned.

8. Geo. 3. cap. 8.
 10. ————— 2.
 11. ————— 5.
 ————— 4.
 ————— 9.
 ————— 5.
 ————— 11.
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 ————— 1.
 ————— 1.

 *HEREAS* great Frauds have been, and are daily committed in several of the Ports and Rivers of this Province, by re-landing Rum and other distilled Spirituous Liquors, after the same have been cleared out for Exportation, and that a Drawback thereon has been allowed on Certificates fraudulently obtained of the landing thereof out of the Province.

Preamble.

I. Be it Enacted, by the Governor, Council, and Assembly, That from and after the First Day of *January*, One Thousand Seven Hundred and Seventy Four, no Drawback shall be allowed on Rum or other distilled Spirituous Liquors brought to any of the Ports or Places of this Province (*Halifax and Canis* excepted.)

After the 1st *January* 1774; no Drawback allowed on Rum or Spirits brought to any Port (*Halifax and Canis* Excepted)

II. AND

II. And be it also Enacted, That an Act made in the Twelfth Year of His present Majesty's Reign, intituled, an Act in Amendment of, and for continuing the several Acts of the *General-Assembly* of this Province, relating to the Duties of Impost and Excise on Beer, Rum and other distilled Spirituous Liquors, Cider, Loaf-Sugar and Wines therein mentioned, together with the several Acts recited and mentioned in the said Act, except the Act made in the Tenth Year of His present Majesty's Reign, intituled, *An Act for granting to His Majesty a Duty of Impost on Loaf-Sugar and Cider*, and also, An Act made last Session of the *General Assembly*, intituled, *An Act in further Amendment of the several Acts of the General-Assembly of this Province, relating to the Duties of Impost and Excise on Rum and other distilled Spirituous Liquors, and for continuing an Act made in the Twelfth Year of His present Majesty's Reign, intituled, An Act in Amendment of, and for continuing the several Acts of the General-Assembly of this Province, relating to the Duties of Impost and Excise on Beer, Rum and other distilled Spirituous Liquors, Cider, Loaf-Sugar and Wines therein-mentioned*, so far as the same relate to the Duties of Impost and Excise on Beer, Rum and other distilled Spirituous Liquors and Wines, together with the Amendments made to the same by this Act, shall be and continue, and the same are hereby continued in Force, from the Expiration thereof, until the Thirty First Day of December, One Thousand Seven Hundred and Seventy Four.

The several Impost and Excise Duties on Beer, Rum and Wines continued to 31st Decem. 1774.

C A P. II.

8. Geo. 3. cap. 6. An ACT for altering and continuing the several
11. ————— 4. Acts, relating to the Duty on licensed Houses.

Preamble.

HEREAS many Inconveniencies have arisen in
several Places in this Province, from the present
Method of granting Licenses for retailing Liquors;
For Remedy whereof,

After 31st December 1773, three or more Justices to grant Licenses, except at Halifax.

to appoint a Clerk of Licenses.

I. Be it Enacted, by the Governor, Council and Assembly, That from and after the Thirty First Day of December of this present Year, One Thousand Seven Hundred and Seventy Three, Three or more Justices of the Peace in their Sessions in each and every County or District in this Province (the Township of *Halifax* excepted) shall and may appoint a Clerk of the Licenses for such County or District, who shall use, exercise and enjoy, the several Powers, Authorities and Emoluments, granted to the Clerk of the Licenses by the Act made in the Eighth Year of his present

present Majesty, intituled, *An Act for suppressing unlicensed Houses, and for granting to His Majesty a Duty on Persons hereafter to be licensed*, and not altered by this Act. And all Persons purposing to take out Licenses for selling Spirituous Liquors, shall apply to the Justices in their said Sessions in the County or District where they reside, who are hereby authorized and empowered to grant the same, previous whereto every Person so to be licensed, shall first give Bond to the Clerk of the Sessions in the Sum of Twenty Pounds, that he, she or they shall well and truly comply with, and yield Obedience to the Laws of this Province already made or to be hereafter made, in relation to Persons licensed to sell Liquors, and shall keep and maintain good Order in the said Tavern or House of publick Entertainment, and shall not suffer the Using any unlawful Games therein; and shall duly pay into the Hands of the Clerk of the Licenses, his, her, and their quarterly Payment within ten Days after such Payment shall become due as aforesaid, and the Clerk of the Sessions where such Licenses shall be granted, shall receive for his Fees from each Person so licensed Five Shillings, and no more.

Licensed Persons to give Bond in £20. to observe the Laws, &c.

II. And be it Enacted, That it shall be in the Power of the said Justices in their Sessions as aforesaid, to grant Licenses *gratis*, to persons keeping Houses of Entertainment on the publick Roads, distant from any Town or Settlement, for the Accommodation of Travellers.

Licenses may be granted *gratis* to Persons on public Roads.

III. And be it also Enacted, That the Justices of the Peace in each County or District (the County of *Halifax* excepted) shall at the Commencement of this Act hold a *Special Sessions* for the Purpose of granting Licenses to such Persons as shall apply, and by them be thought proper Persons to hold the same.

Justices shall hold a Special Sessions at the Commencement of this Act for granting Licenses.

IV. And be it also further Enacted, That all Licenses granted before the Commencement of this Act, shall continue and be in Force, until the Thirty First Day of December next, and no longer; and if any Person or Persons shall neglect or refuse to pay to the Clerks of the Licenses the Money due by him, her or them, in Virtue of this, or any former Act, the same shall and may be recover'd upon Complaint of the said Clerks, by Bill Plaint or Information, in any of His Majesty's Courts of Record in this Province, if above the Sum of Three Pounds, or before any one of His Majesty's Justices of the Peace, if the Sum due be Three Pounds or under.

Licenses granted before this Act to be in Force till 31st Dec. 1773.

V. And be it Enacted, That the Money arising from the Duty on Licenses at *Lunenburg*, and all Fines incurred there, shall be laid out in making, opening and repairing the Roads within
said

Money arising on Licenses at *Lunenburg* to be laid out in making Roads &c. there.

said Township, under the Direction of such Persons as shall be appointed by the Governor, Lieutenant Governor, or Commander in Chief of this Province.

Continuance of this
and of the former
Acts to 31st Decem.
1775.

VI. And be it also Enacted, That an Act made in the Eighth Year of His present Majesty's Reign, intituled, *An Act for suppressing unlicensed Houses, and for granting to His Majesty a Duty on Persons hereafter to be licensed*; and *An Act made in the Eleventh Year of the Reign of His said Majesty, for altering and continuing the said Act*, together with the Alterations thereto made by this Act, shall be, and continue, and the same are hereby continued in Force, until the Thirty First Day of December, One Thousand Seven Hundred and Seventy Five.

C. A. P. III.

12. Geo. 3. cap. 3.
13. Geo. 3. cap. 3.

An ACT for continuing the several Acts for raising a Fund for the Purpose of making and repairing Bridges and Roads of Communication thro' the Province.

Continuance of Act
12. Geo. 3. cap. 3.
& 13. Geo. 3. cap. 3.

¶ *It Enacted, by the Governor, Council & Assembly,*
 ¶ *That an Act made in the Twelfth Year of His present Majesty's Reign, intituled, An Act for raising a Fund for the Purpose of making and repairing Bridges and Roads of Communication through the Province, and an Act made in the Thirteenth Year of His said Majesty's Reign, for amending and continuing the said Act, shall be, and continue, and the same are hereby continued in Force from the Expiration thereof, until the Thirty First Day of December, One Thousand Seven Hundred and Seventy Seven.*

From 1st Jan. 1774
the like rates to be
paid as directed by
Act 12. Geo. 3.
cap. 3.

II. And be it also Enacted, That from and after the First Day of January, One Thousand Seven Hundred and Seventy Four, and during the Continuance of this Act, there shall be yearly raised, levied, collected and paid by every Householder and Owners of Lands in this Province, by and under the Limitations, Provisoos, Pains and Penalties, and for the Purposes prescribed, directed and mentioned in, and by the said above recited Act, the like Rates and Taxes as are imposed by the said Act.

C A P. IV.

An ACT for farming the Duties of Impost and Excise on Beer, Rum and other distilled Spirituous Liquors and Wines at the Island of *Cape-Breton*, and District of *Canso*, and to enable the Farmer or Farmers thereof to collect the same.

***** HERE AS it is thought, that the Revenue arising from
* W * the Duties of Impost and Excise at the Islands of *Cape-*
* * * * * *Breton*, and District of *Canso*, may be much increased
* * * * * by farming out the same;

Preamble.

I. Be it Enacted by the Governor, Council and Assembly, That the Governor, Lieutenant-Governor, or Commander in Chief for the Time being, be, and he is hereby empowered, by and with the Advice of His Majesty's Council, to appoint such and so many Persons as to him shall seem meet, not less in Number than three, who shall give Notice by Advertisement in the *Nova-Scotia Gazette* for three several Times at least, during three Months, and therein to fix a Certain Day to be by them appointed at the End of said three Months, for contracting and agreeing with any Person or Persons who will give most for farming the Duties of Impost and Excise, payable by the Laws of this Province to the Thirty First of *December*, One Thousand Seven Hundred and Seventy Four, on Beer, Rum, and other distilled Spirituous Liquors and Wines consumed to the said Thirty First of *December*, One Thousand Seven Hundred and Seventy Four, at the Island of *Cape-Breton* and District of *Canso*, and the said Persons appointed as aforesaid, shall accordingly Contract and agree with the Person or Persons, as will give most for the farming the said Duties and such Farmer shall be fully invested with all the Powers and Authorities in every Respect, as are given by Law to the Collectors of the Duties of Impost and Excise.

The Gov. to appoint not less than three Persons to contract and agree for farming out the duties,

to give notice by advertisement in the *Nova-Scotia Gazette*, during three months and fix a day for contracting,

shall contract with person or persons who will give most.

Farmer invested with Power given by Law to the Collectors.

II. And be it Enacted, That the Farmer or Farmers aforesaid, shall give Bond with two sufficient Sureties to the Province Treasurer for the Time being, and his Successor in said Office, in double the Sum which shall be contracted for with Condition that the Sum agreed on be paid into the Province Treasury for the Use of the Province, in four equal Payments, that is to say, at Three, Six, Nine, and Twelve Months, from the Date of said Contract; which Bond the said several Persons to be appointed as aforesaid, are hereby empowered to take, and the same to lodge with the Treasurer aforesaid, within Twenty Days after said

The Farmer to give Bond in double the sum contracted for to pay the same as the stated times.

To lodge the Bond with the Treasurer.

In case of failure of payment Bond to be put in Suit.

Persons appointed to contract to render an account to General-Assembly.

The Farmer may appoint deputies.

The Farmer or his Deputies shall be liable to pay the drawbacks allowed on the several articles.

In case of the death of the Farmer his Executors or Administrator shall on their accepting the trust be invested with the powers he had, & be subject to the conditions on which he held the contract.

all Beer, Rum and Wines remaining at the expiration of the contract liable to duty.

said Bond is executed, and the said Treasurer in Case of Failure or neglect of Payment on the Part of the Farmer, or Persons contracting as aforesaid at the Times therein limited, shall put the said Bond in Suit in Manner as is directed for the recovery of other Debts payable to the Province. And the said several Persons appointed to contract as aforesaid, shall render an Account of their Proceedings, touching the same, to the *General-Assembly* in the first Week of their Session next, after the same shall have been carried into Execution.

III. And be it also Enacted, That the Person or Persons so farming the said Duties may substitute and appoint, one or more Deputy or Deputies, under him or them, upon Oath to Collect and receive the same, and the said Deputy or Deputies shall have, use and Exercise all such Powers and authorities, as are given by this Act to the Farmer or Farmers for enabling him, or them to collect the Duties aforesaid, and for detecting and prosecuting Offenders.

IV. And be it further Enacted, That the Farmer or Farmers aforesaid, or his or their Deputies, shall be liable to account for, and pay the Drawbacks to which any of the said Articles aforesaid are subject within the Term of the Contract aforesaid, on the Exporters producing proper Certificates, and complying in every Respect with the Rules prescribed by the Laws, in that Case made and provided.

V. And be it also further Enacted, That in Case of the Death of the Farmer or Farmers of the Duties aforesaid, the Executors or Administrators of such Farmer or Farmers, shall upon his or their accepting of such Trust of Executors or administrators have Use and enjoy all the Powers, which the said Farmer or Farmers had a Right to hold, use and enjoy, and shall be subject to the several Conditions and Payments on which he or they held the same.

VI. And to prevent the Farmer or Farmers of the said Duties from laying in a Quantity of Beer, Rum and other Spirits and Wine at any Time During his Contract and thereby injuring the Province Revenue after the Expiration thereof;

Be it Enacted, That all Beer, Rum and other Spirituous Liquors, and Wines, which at the Expiration of the said Contract shall remain on Hand, within any Part of the said District so Contracted for, shall be liable to pay the Duties, which shall be imposed on the like Articles by any Law of the Province.

C A P. V.

An ACT in Addition to an Act, made in the Fifth Year of His present Majesty's Reign, intituled, *An Act for Summary Trial of Actions.*

5 Geo. 3. cap. 1.
7 Geo. 3. cap. 2.
11 Geo. 3. cap. 12.

HEREAS the Summary Trial of certain Causes has been found of great Utility, and that the Enlarging the Sum to be tried in a Summary Way by the Courts of Justice, may greatly contribute to the Ease of His Majesty's Subjects in this Province;

Preamble.

I. Be it Enacted by the Governor, Council and Assembly, That the Justices of the Supreme Court and Inferior Courts of Common Pleas within this Province, be, and they are hereby impowered in all Causes of Action brought before them, the Sum Total whereof shall not exceed Twenty Pounds, to proceed in like Manner as has been accustomed in Causes not exceeding Ten Pounds, and subject to a Writ of Error to be brought from the Inferior Courts of Common Pleas to the Supreme Court when the Judgment shall exceed Five Pounds.

The Supreme Court & Inferior Courts to proceed in a summary way in Causes not exceeding £10.

Subject to a writ of error.

II. Provided always, That when on the Examination of the Witnesses the Matters of Fact may appear doubtful, or that either of the Parties shall desire it, the Court shall and may order a Jury to try the same.

When the fact may be doubtful or parties desire it a jury may be sworn to try the same.

III. And be it further Enacted, That any one of the Justices of the Supreme Court or Inferior Courts of Common Pleas within this Province, is hereby impowered in all Causes of Action brought before him, where the Debt does not exceed Twenty Pounds, to take the voluntary Confession of the Debtor for the Sum demanded by the Creditor as agreed between the Debtor and Creditor and to proceed therein in Manner, as has been hitherto practised in Debts not exceeding Ten Pounds, and subject to the like Costs as have been heretofore paid in such Cases.

Any one justice of the Court may take the confession of the debtor and grant execution thereon.

C A P. VI

An ACT in Amendment of, and for continuing an Act made in the Ninth Year of His present Majesty's Reign, intituled *An Act for establishing and regulating Ferries.*

9. Geo. 3. cap. 1.

HEREAS in, and by the Second Section of an Act made in the Ninth Year of His present Majesty's Reign, intituled, An Act for establishing and regulating Ferries, It is Enacted,

Preamble.

Enacted, That when any Ferry shall be established over any River, Bay or Creek, in Manner as directed by said Act, and any Person or Persons shall be appointed and licensed to attend the same; no Person or Persons whatsoever shall carry or ferry over such River, Bay or Creek, either Man or Beast, unless by Desire or Consent of the Ferryman appointed and licensed for that Purpose, except the same be done *gratis*, and whereas no Penalty is therein inflicted on such as shall act contrary thereto;

Penalty on any person who shall ferry over either man or beast unless by desire or neglect of the ferryman.

I. **Be it Enacted, by the Governor, Council and Assembly,** That any Person who shall presume to carry or ferry over any River, Bay or Creek, where a Ferry shall be established in manner as directed by the said recited Act, either Man or Beast, unless by Desire or Consent of the Ferrymen, or on his Neglect or Refusal to give due Attendance, such Person shall forfeit and pay a Fine not exceeding Twenty Shillings to be recovered on Complaint before any two of His Majesty's Justices of the Peace, and be levied by Distress and Sale of the Offenders' Goods and Chattels.

Act 9th Geo. 3d. continued for 5 years from expiration thereof.

II. **And be it Enacted,** That an Act made in the ninth Year of His present Majesty's Reign, intitled, *An Act for establishing and regulating Ferries*, with the Amendments, thereto made by this Act, shall be and continue and the same is hereby continued in Force, from the expiration thereof for five Years, and until the End of the Session of the *General Assembly* then next following.

C A P. VII.

8. Geo. 3. cap. 1.

An A C T for continuing an Act, made in the Eighth Year of His present Majesty's Reign, intitled, *An Act for granting to his Majesty a Duty on Wheel-Carriages within the Peninsula of Halifax*.

continued to 31st Dec. 1777.

✱-✱-✱ **Be it Enacted, by the Governor, Council and**
 ✱ B ✱ **Assembly,** That an Act made in the Eighth Year of
 ✱-✱-✱ His present Majesty's Reign, intitled, *An Act for*
 ✱-✱-✱ *granting to his Majesty a Duty on Wheel-Carriages*
within the Peninsula of Halifax, shall be and continue, and the
 same is hereby continued in Force from the Expiration thereof,
 until the Thirty First Day of *December*, One Thousand Seven
 Hundred and Seventy Seven.

II. **And**

II. And be it also Enacted, That during the Continuance of this Act, there shall be yearly raised, levied, collected and paid, for each and every Wheel Carriage used within the Peninsula of *Halifax*, by the Owner or Proprietor of such Carriage, by and under the Limitations, Provisoes, Pains and Penalties, and for the Purposes prescribed, directed and mentioned in and by the said above recited Act, the like Rates and Taxes as are imposed by the said Act.

The like Rates to be paid as directed by Act 8th Geo. 3d cap. 1.

C A P. VIII.

An A C T for continuing several Acts that are near expiring.

✠✠✠✠ E it Enacted, by the Governor, Council and
 ✠ B ✠ Assembly, That an Act made in the Sixth Year of His present Majesty's Reign, intituled, *An Act concerning Bail*, also an Act, made in the Eighth Year of His said Majesty's Reign, intituled, *An Act for altering, amending and continuing the said Act*, and an Act made in the Ninth Year of His said Majesty's Reign, in further Amendment of the said Act; also an Act made in the Sixth Year of His said Majesty's Reign, intituled, *An Act to prevent the Multiplicity of Law-Suits*; also an Act made in the Sixth Year of His said Majesty's Reign, intituled *An Act for prescribing the Forms of Writs, and the manner of issuing the same*; also an Act made in the Eighth Year of His said Majesty's Reign for altering, amending and continuing the said Act, and an Act made in the Eleventh Year of His said Majesty's Reign, for altering, amending, and further continuing the said Act, shall be, and are hereby continued in force for two Years, from the Expiration of the said Act, and until the End of the Session of the *General Assembly* then next following.

Several acts concerning Bail.

6. Geo. 3. cap. 3.
 8. Geo. 3. cap. 3.
 9. Geo. 3. cap. 3.

Act to prevent multiplicity of Law-Suits.

6. Geo. 3. cap. 2.

Act to prescribe the forms of Writs, &c.

6. Geo. 3. cap. 1.
 8. Geo. 3. cap. 5.
 11. Geo. 3. cap. 10.

continued for two Years.

C A P. IX.

An A C T in further Addition to, and for continuing the several Acts for the Establishment of Fees, as regulated by the Governor and Council, at the request of the *House of Assembly*.

6. Geo. 3. cap. 4.
 11. Geo. 3. cap. 13.

✠✠✠✠ E it Enacted, by the Governor, Council & Assembly,
 ✠ B ✠ That the following Fees be allowed to the several Persons, and for the Purposes herein after-mentioned.

Clerk's

Clerk's Fees.

Clerk's Fees in the *Supreme and Inferior Courts* in all Causes upwards of £.20.

Every Oath administered by him,	One Shilling.
Entering Appearance,	One Shilling.
Warrants of Attorney, filing each,	Six Pence.
Fileing Bail,	Six Pence.
Every Rule or Order of Court,	One Shilling.
Making up the Issue for every 100 Words,	One Shilling.
Signing the record,	One Shilling.
Marking the Postea,	Four Pence.
Entering the Issue for every 100 Words,	One Shilling.
Sealing the Record,	One Shilling.
Signing and Sealing Writ of Inquiry,	One Shilling.
Bringing up Defendant being in Goal,	One Shilling.
Fileing Præcipe,	Six Pence.
Receiving Returns of Writs,	Six Pence.
Attending Judge in putting in Special Bail,	One Shilling.
Entering an Imparlance,	One Shilling.
Entering Rule for Defendant to appear,	One Shilling.
Entering Rule for Defendant to plead,	One Shilling.
Entering Notice of Inquiry of Damages upon a Default,	} One Shilling.
Entering Interlocutory Judgment on default,	One Shilling.
Receiving Return of Verdict upon Writ of Inquiry before the Provost Marshall,	} Six Pence.
Drawing Warrant to levy Fines,	One Shilling.
Recording Execution, return of Appraisement &c. when Execution levied on real Estate, One Shilling per 100 Words.	
Attending Provost Marshall to strike Special Jury,	} Two Shillings and Six Pence.
Drawing Postea, for every 100 Words,	One Shilling.
Entering Postea on Record every 100 Words,	Six Pence.
Entering Warrant of Confessing Judgment,	Two Shillings.
Fileing Affidavit for continuing a Cause, changing Venue or otherwise,	} Six Pence.
Minuting Withdraw-all or non proffs,	Two Shillings.
Attending Attornies to examine Bill of Costs and signing the same,	} Two Shillings and Six Pence.
For Entering Bond of Arbitration, Judgment and Execution thereon, in Addition to the former Fee for that Duty,	} One Shilling.
For Proceedings in Ejectment,	
Rule of Assent,	Six Pence.
Appearance,	One Shilling.
Rule upon Appearance,	One Shilling.
Imparlance,	One Shilling.

Issue,

Issue, - - - - - One Shilling.
 Signing Judgment against Casual Ejector, One Shilling.

In Proceedings by and against Attornies,

Entering Appearance, - - - - - One Shilling.
 Filing Bail, - - - - - Six Pence.
 Signing Forejudger, - - - - - One Shilling.
 Striking off the Role, - - - - - One Shilling.

Attornies Fees in all causes upwards of £20

Attorney's Fees.

Præcipe and Ingrossing, - - - - - One Shilling.
 Drawing Declaration, it long for every 100 Words Six Pence.
 Engrossing Copy of the same for every 100 Words Six Pence.
 Fair Copy for Service for every 100 Words. Six Pence.
 Drawing Writt of Inquiry, - - - - - Two Shillings.
 Engrossing fair Copy of the same, - - - - - One Shilling.
 Engrossing fair Copy of Affidavit every 100 Words Six pence.
 Drawing every Record, Roll and Judgment every } Six Pence.
 100 Words, }
 Engrossing fair Copy, every 100 Words, Six Pence.
 Attending Provoſt Marshall upon Writ of } Three Shillings
 Inquiry, } and Four Pence
 Motion for Defendant to plead on Judgment, One Shilling.
 Drawing and Engrossing Rule, Copy and Service One Shilling.
 Drawing and Engrossing *Venire Facias*, } Three Shillings
 } & fourpence.
 Tickets on Subpœna, each, - - - - - One Shilling.
 Service of the same, - - - - - One Shilling.
 Drawing Bail Service and Copy, } Three Shillings.
 } & four Pence.
 Attending on the Judge to put in Bail, } Two Shillings
 } & Six Pence

Provoſt Marshalls Fees:

Provoſt-Marshal's Fees.

For Executing a Writ of Inquiry of Damages, } Ten Shillings.
 and Return of Inquisition thereon, }
 To the Bailliff for summoning the Jury, Four Shillings.
 Swearing each Witness, - - - - - Four Pence.
 Publishing Proclamations, - - - - - Five Shillings.
 Attendance at the striking, and for summoning a } Twenty Shil-
 Special Jury, } lings.

II. And be it Enacted, That in all Causes where a Judgment is given for the Defendant, he shall be allowed the like Coſts and Attendance, as the Plaintiff in the like Cafes, at the diſcretion of the Court.

where Judgment is given for Defendant the like Coſts to be allowed as to Plaintiff

III. And

£. 10 Penalty on any Person taking greater Fees than are established by this & Act 6 Geo. 3.

The Clerk of the Court shall examine and compare all Bills of cost with this and the Act 6 Geo. 3d. and certify the same.

If any Clerk shall certify other or greater Fees to forfeit £5.

Bill of cost to be signed by one of the Judges.

III. And be it also Enacted, That if any Person or Persons whomsoever, shall ask, demand or take, any greater or other Fees than are mentioned in this or the Act made, in the 6th Year of his present Majesty's Reign, intitled, *An Act for the Establishment of Fees as regulated by the Governor and Council, at the request of the House of Assembly*, he or they shall forfeit the Sum of Ten Pounds, to be recovered and disposed of, as is directed in the second Clause of the said Act, any Law, Usage or Custom to the contrary notwithstanding.

IV. And be it also further Enacted, That the Clerk of the Court where the Cause shall have been brought, shall examine and compare all Bills of Cost with this, and the above recited Act, and the said Clerk shall certify at the foot of the said Bill of Costs, that it contains no other, nor greater Fees than is allowed by the said several Acts for the Establishment of Fees, and if any Clerk shall certify other or greater Fees than are Established as aforesaid, upon due Conviction shall forfeit the Sum of Five Pounds to be recovered and disposed of, as is directed in the second Clause of the afore-recited Act, and before any such Bills of Cost shall be charged against the Plaintiff or Defendant, the said Bill so certified shall be allowed and signed by one of the Judges of the Court before whom the cause was brought as aforesaid.