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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 feveral Prorogations until the Fifth Day of June, Anno Domini 1771, in the Eleventh Year of His faid Majesty's Reign, being the Second Session of the Fifth GENERAL-Assembly convened in the faid Province.

#### CAP. I.

An A to avoid the double Payment of Debts.

\*{\*\*} # HEREAS divers Hen of Clades and Handicraftsmen \*\* W \*\* keeping Shop Books, do demand Debts of their Tustomers upon their Shop Books long Time after the same hath been due, and when as they have supposed the Particulars and Certainty of the Wazes delivered to be forgotten, then either they themselves or their Servants have inserted into their said Shop Books divers other Wares supposed to be delivered to the same Parties or to their Use, which in Truth never were delivered, and this of Purpose to increase by such undue Weans the said Debt. And whereas divers of faid Cradesmen and Handicraftsmen having received all the just Debt due upon their said Shop Books, do oftentimes leave the same Books uncrossed, or any way discharged, fo as the Debtors, their Executors or Administrators are often by Suit of Law enforced to pay the same Debts again, to the Barty, that truded the faid Wares, or to his Erecutors or Adminificators, unless he or they can produce sufficient Proof by Writing or Witnesses, of the said Payment, that may countervail the Credit of the said Shop Books, which sewor none can do in anylong Cime after the said Payment.

Be it therefore Enacted by the Sovernor, Council and Asfembly, That no Tradesman or Handicrastsmen keeping a Shop Book as is aforesaid his or their Executors or Administrators shall from the first Day of January 1772, be allowed, admitted or received to give his Shop Book in Evidence in any action for any Money due for Wares hereafter to be delivered, or for Work hereafter Gg

No Tradesman, &c. from the 1st January 1772 allowed to give his Shop Book in evidence, when Debt above Two

Exception.

to be done, above two Years before the same Action brought, except he or they, their Executors or Administrators, shall have obtained or gotten a Bill of Debt or obligation of the Debtor for the said Debt, or shall have brought or pursued against the said Debtor, his Executors or Administrators some Action for the said Debt, Wares or Work done, two Years next after the same Wares delivered, Money due for Wares delivered or Work done.

Not to extend to any Trading or dealing between Merchant and Merchant &c. II, Provided always, that this Act or any Thing therein contained, shall not extend to any Intercourse of Trassic, Merchandizing, Buying, selling, or other trading, or dealing for Wares delivered, or to be delivered, Money due or work done, or to be done, between Merchant and Merchant, Merchant and Tradesman, or between Tradesman and Tradesman, for any Thing directly falling within the Circuit or Compass of their mutual Trades and Merchandize, but that for such Things only, they and every of them shall be in Case, as if this Act had never been made, any thing herein contained to the contrary thereof notwithstanding.

Act to continue 5 Years from 1st January 1772 &cc. III. This Act to continue five Years, from and after the first Day of January, One Thousand Seven Hundred and Seventy Two, and until the End of the Session of the General Assembly then next following.

# CAP. II.

An Act for further continuing an Act, made in the Eighth Year of His present Majesty's Reign, intitled An Act for granting to his Majesty an Excise on Wines, sold within or brought into this Province.

Continued to First

That an Act made in the Eighth Year of His present Majesty's Reign, intitled an Act for granting to his spariety an Ercise on Clines sold within or brought into this Browince, shall be and continue from the Expiration thereof, and the same is hereby further continued in Force, until the First Day of July, One Thousand Seven Hundred and Seventy Two.

#### CAP. III.

An Act for continuing an Act, made in the Tenth Year of his present Majesty's Reign, intitled An 10. Geo. 3. cap. 2. Act for granting to His Majesty a Duty of Impost on Loaf Sugar and Cider.

That an Act made in the Tenth Year of his Present Majesty's Reign, intitled In It for granting to his soa-XXXX jetty a Duty of Impost on Loaf Sugar and Cider, shall be, and continue from the Expiration thereof, and the same is hereby continued in Force, until the First Day of July, One Thousand Seven Hundred and Seventy Two.

Continued to First July 1772.

# CAP. IV.

An Act for altering and further continuing an Act, made in the Eighth Year of His present Majesty's Reign, intitled an Act for Suppressing unlicensed Houses, and for granting to His Majesty a Duty on Persons bereafter to be licensed

10. Geo. 3. cap. 3.

ONLY HEREAS in and by the fifth Section of an Act, made in the Eighth Bear of his present Daiesty's Reign, intitled An Act for suppressing unlicensed Houses, and for granting to his Majesty a Duty on Persons hereafter to be licensed, it is Provided, That nothing in the said At thall extend to the preventing any Werchant, Shopkeeper, or other Person not ticensed to sell Liquors, from selling any Quantity of such Liquuzs not less than Five Gallons. whereas it is thought expedient to lessen the Quantity so permitted to be fold without Licence.

Preamble.

I. Be it enacted by the Governor Council and Acembly, That from and after the Commencement of this Act, nothing in the faid recited Act contained shall extend or be construed to extend to prevont or debar any Merchant, Shopkeeper or any Person not licensed to fell Rum or other distilled Spirituous Liquors, Wine, Ale, Beer, Cycler, or Perry from felling any Quantity of fuch Liquors, not less than Three Gallons, delivered at one and the same Time.

Persons not licensed may fell Three Gallons Rum &c.

II. and be it Enacted, That an Act made in the Eighth Year of His present Majesty's Reign, intitled an Aft for suppressing unlicensed boules Continued to First July 1773.

houses, and for granting to his spajesty a Duty on Persons hereaster to be licensed, with the Alteration thereto made by this Act, shall be and continue, and the same is hereby continued in Force, from the Expiration thereof, until the 1st Day of July 1773.

# CAP. V.

8. Geo. 3. cap. 8. 10 Geo. 3. cap. 5. An Act in Amendment to, and for continuing the several Acts of the General Assembly of this Province, relating to the Duties of Impost on Beer, Rum, and other distilled Spirituous Liquors.

Preamble.

in the Eighth year of his persent Hajesty's Reign, intitled An Act to amend render more effectual, and reduce into one Act the several Laws made by the General Assembly of this Province; relating to the Duties of Impost, on Beer, Rum and other distilled Spirituous Liquiers, It is Enacted, That all Rum of other Spirituous Liquiers, which that he issued for the Use of his Province Rang shall be deemed so far an Exportation thereof as to be intitled to a Drawback of Three pence per Gallon. And Albertas great Francs have been committed by the relanding or converting such Rum or other Spirituous Liquors to the Use of Persons on Shore, contrary to the Intent and Meaning of the said Indulgence.

I. Be it enalted by the Court Council and Assembly, That from and after the Publication of this Act, if any Rum or other Spirituous Liquors on which the abovementioned Drawback shall have been received or claimed, shall after the same has been issued or pretended to be issued as aforesaid, be landed or converted to the Use of any Person or Persons on Shore, or for any other Use, than that of His Majesty's Navy, the same shall be forfeited, and the Person or Persons, who shall be found Guilty of committing such Fraud shall forfeit and pay a Fine of Fifty Ponnds, which Fine shall be sued for, levied and recovered in Manner as is prescribed and directed for other Fines and Penalties, in the aforerecited Act.

II. And he it Enasted, That an Act made in the Eighth Year of His present Majesty's Reign, intitled an Act to amend, render more effectual, and reduce into one Act the several Laws made by the General Assembly of this Province, relating to the Duties of Impost on Beer, Rum and other distilled Spirituous Liquors, and the Act made in the Tenth Year of His said Majesty's Reign, in Addition to the said. Act, with the amendment thereto made by

Continued to First July 1772.

the

Act, shall be and continue, and the same are hereby continued in Force, from the Expiration thereof until the First Day of July 1772.

# CAP. VI.

An A C T for altering and continuing an Act made in the Tenth Year of His present Majesty's Reign, 10. Geo. 3. cap. 1. intitled an Act for granting to His Majesty an Excise on Tea, Coffee and playing Cards, sold within or brought into this Province.

\*{\*\*} HEREAS it is thought expedient that every Kind of R W R Cea shall be subject to the same Duty.

I. Be it Enacted by the Governor Council and Asfembly. That from and after the First day of July, 1771, there shall be paid on all Teas fold, or by any Ways or Means brought into this Province, for every pound of fuch. Tea, one Shilling, in Lieu of the former Duty of Excise on Green Tea and Bohea Tea.

Excise on Tea one Shilling per pound.

II. And be it also Enaked, That an Act made in the Tenth Year of his Present Majesty's Reign, intitled an Att for granting to His agaiean an Excise on Tea, Coffee and playing Cards, sold within or brought into this Province, with the Alteration thereto made by this Act shall be and continue, and the same is hereby continued in Force from the Expiration thereof, until the First Day of July, 1772.

Excise on Tea and Playing-Cards.

Continued to 1st July, 1772.

# C A P. VII.

An A C T for continuing an A&, made in the Tenth Year of His present Majesty's Reign, intitled, an AEt for further regulating the Market at Halifax.

10. Geo. 3. cap. 4.

**See E** it Enacted by the Governor, Council and Allems bly, that an Act made in the Tenth Year of His pre-fent Majesty's Reign, intitled an act for further regucass lating the Warket at idelifar, shall be and continue, and the same is hereby prolonged, and continued in Force for three Years, from and after the Expiration of the said Act, and to the End of the Session of the General-Assembly then next following. CAP. Viil. Hh

Continued for three

## CAP. VIII.

8. Geo. 3. cap. 3.

An Act 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 Halisax.

Continued to 1st July 1774.

His present Majesty's Reign, intitled an Act made in the Eighth Year of His present Majesty's Reign, intitled an Act for grantsing to his apaiesty a Duty on Albeet Carriages xxxx within the Peninsula of Balifar, shall be and continue, and the same is hereby continued in Force from the Expiration thereof, until the First Day of August, One Thousand Seven Hundred and Seventy Four.

## C A P. IX.

An Act for continuing feveral Acts that are near expiring.

Several Acts concerning Bait
6. Geo. 3. cap. 3.
8. Geo. 3. cap. 3.

9. Geo. 3d. cap. 3.

Act for Establishment of Fees.

6. Geo. 3d. Cap. 4.

Act to prevent the Mukiplicity of Law Suits.

Continued for two Years.

XXXX E it Enacted by the Governoz, Council and Affembly, B That an Ad made in the Sirth Pear of His present 🕵 💢 Majedy's Reign, intitled An Act concerning Bail, Also In Act for altering, amending and continuing an Act, made in the Sirth Pear of his present Majeay's Reign, intitled An Ad concerning Bail. Also. An Ad in further Amendment of an At made in the Sixth Pear of his present Ha= jefty's Keign, intitled an Aft concerning Bail, Also, An Aft made in the Sirth Pear of his present Majesty's Reign, intitled an Act for the Ecablishment of Fees, as regulated by the Sovernoz and Council at the Request of the House of Assembly, And An At made in the Sirth Pear of his present agajedy's Reign, intitled an Adto prevent the Quitiplicity of Law Suits, shall be and are hereby continued in Force for Two Years, from the Time of the Expiration of faid Acts, and until the End of the Session of the General-Assembly, then next following.

### CAP. X.

An Act for altering, amending, and further continu- 6. Geo. 3. cap 1. ing an Act made in the Sixth Year of His present Majesty's Reign, intitled, An Ast for prescribing the Forms of Writs and the Manner of issuing the same.

8. Geo. 3. cap. 5

类类类 HEREAS several Inconveniences have arisen by Preamble. W Deans of the present Form of the Writ of Attach-※※※ ment.

I. Be it Enacted by the Governor, Council, and Acembly, that hereafter the following Form of Attachment shall issue and no other.

#### F O R M of ATTACHMENT.

Form of Writ of Attachment.

ff. George the Third by the Grace of God of Great-Britain, France and Ireland, King Defender of the Faith &c.

To the Provost Marshal or His Deputy, Greeting.

E Command you to attach the Goods, Chattels of to the Claine of and also (if to be found within your Precing) Eliate of to fummon the faid to appear before our Julices of our to be holden at then and there to Answer the Suit of to the Das mage of the said as the Sum of hereof fail not, and make due Retuin of this Writ, and your Dos ings thereon according to Law, Twelve Days before the faid WITNESS this-Day of Bear of our Reign, Anno Domini.

II. And be it further Enasted, That An Act made in the Sixth Year of His present Majesty's Reign, intitled 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 present Majesty's Reign, intitled, an Act for altering, amending and continuing an Act made in the Sixth Year of His Majesty's Reign, intitled an Att for prescribing the Forms of Writs and the Manner of issuing the same, together with this present A&, shall be and are hereby continued in Force for two Years from the Time of the Expiration of the faid Acts, and until the End of the Session of the General-Assembly then next following.

This and the former Acts continued for two Years.

C A P. XI.

Act,

# CAP. XI.

6. Geo. 3. cap. 9. 10. Geo. 3. cap. 4. An Act in Amendment to, and for continuing the several Acts of the General Assembly of this Province, relating to the Duties of Excise on Rum, and other Distilled Spirituous Liquors.

Preamble.

X--X HERE AS in and by the Mineteenth Section of an W at made in the Eighth Pear of his present Pajesty's Reign, intitled an act to amend, render more effectual, and reduce into one Act the feveral Laws made by the General Affembly of this Province, relating to the Duty of Excise on Rum and other Distilled Spirituous Liquors, It is Enacted, That such distilled Spirituous Liquors as thall be issued for the Use of His Mas jedy's Wavy, thall be deemed exported, and that the Collectors or Receivers of the Duties thall Credit the Stock on band of the Werchant, Distiller or other Person for so much as shall bave been so issued, and in Case the Duty of Excise thezeon hall have been paid, or secured to be paid, the same shall be repaid, or the Bond given therefor discharged, And whereas great Frauds have been committed by the relanding and converting such Rum or other Spirituous Liquors to the Use of persons on Shore, contrary to the intent and Deaning of the said Indulgence.

No Liquors on which drawback is received &c. shall be landed or converted to any other use but that of his Majesty's Navy. I. Be it Enacted by the Sovernor, Council and Assembly, That from and after the Publication of this Act, if any Rum or other Spirituous Liquors on which the Duty of Excise shall have been repaid, or for which the Stock Account of any Person shall have had Credit, or Eond discharged, as aforesaid, shall after the same has been issued or pretended to be issued as aforesaid, be landed or converted to the use of any Person or Persons on Shore; or for any other Use than that of His Majesty's Navy, the same shall be forfeited, and the Person or Persons who shall be found guilty of committing such Fraud shall forfeit and pay a fine of Fifty Pounds, which sine shall be sued for, levied, and recovered in Manner as is prescribed and directed for other Fines and Penalties in the aforerecited Act.

Continued to the First July 1771.

II. And he it Enasted, That an Act made in the Eighth Year of His present Majesty's Reign, intitled an aft to amend, render more effectual, and reduce into one Aft the several Laws made by the General Assembly of this Province, relating to the Duty of Ercise on Rum and other distilled Spirituous Liquors, and the Act made in the Tenth Year of His said Majesty's Reign, in Addition to the said Act with the Amendment thereto made by this

Act, shall be and continue, and the same are hereby continued in Force from the Expiration thereof, until the First July One Thoufand Seven Huudred and Seventy Two.

#### CAP. XII.

An ACT in Amendment of an Act, made in the 5.000. 3. cap. 1. Fifth Year of his present Majesty's Reign, intitled An Act for the summary Trials of Actions.

K-O-K HEREAs the Proceedings for the Kecovery of small w d debts have hitherto been attended with great Erpence, in order to remedy the same.

1. Be it Enacted by the Governor, Council and Assembly. that for the future all Causes where the Sum shall not exceed three Pounds, shall be fued for and recovered before one or more Justices of the Peace, and that the Summons in such Causes as relate to the Township of Halifax shall be directed to the Provost Marshall or his Deputy, and in all fuch Causes as relate to the other Townships in the Province the faid Summons shall be directed to the Provost Marshal, his Deputy or the Constable of the Township where the Plaintiff or Defendant shall dwell, and shall be by the faid Provost Marshal, his Deputy or Constable read to the Defendant, or in his Absence a Copy thereof, shall be left at his House, Lodging, or last Place of Abode, at least three Days before the Trial.

Causes not exceeding £3 to be fued for before one for more Justices of the Peace.

Summons in Halifax to be directed to the Provost Marshal, or his Deputy;

and in other Towns to the Provost Marshal, his Deputy or Constable.

II. And Beit Enaited, that for the serving the said Summons the Provost Marshal his Deputy or Constable shall have two Shillings and Six-Pence, and no more, and for the Service of the Execution One Shilling with One Shilling Poundage on levying, and that the whole Expence to be charged by the Justice or Justices for the Summons, Judgment and Execution, shall be Four Shillings and Ten Pence that is to fay Two Shillings and Six-Pence for the Summons, One Shilling for the Judgment and One Shilling and Four Pence for the Execution, any Law, Usage or Custom to the contrary thereof notwithstanding.

Fees for Summons and Execution, and also for Service.

10 robited, that in Case the Provost Marshal, his Deputy or Constable shall be obliged to travel upwards of two Miles to serve, or levy the Execution, he shall be allowed two Pence per Mile travel.

If the Provoft Marshall, his Deputy or Constable travel more than 2 Miles to be allowed two Pence per Mile.

III. And Be it also Enacted, That the form of the Summons and Execution shall be as follows.

FORM

to

0'-

### FORM of the SUMMONS.

FORM of the Sum-

OU are hereby required to Summon A. B. of appear before me on the Day of at Clock in the to answer to C.D. in the Sum of and make return hereof, on or before said Day WITNESS my hand and Scal the

#### FORM of the EXECUTION

FORM of the Execution.

To

HEREAS Judgment hath been awarded against A B. of at the Suit of C D. for the Sum of and more for Costs, these are to require and command you, to levy from off the Goods and Chattels of the said A B. the said Sums making together by Sale of the said Goods and Chattels and for Want thereof, you are hereby commanded to take the Body of said A B. and him to commit to His Majesty's Goal in there to remain until he pay the Sum abovementioned with your Fees, or that he be discharged by the said C D. or otherwise by order of Law. Hereof sail not, and make return of this Writ to me within ten Days.

WITNESS my Hand and Seal the

Justices of the Peace may take Confessions of Debts not exceeding £3.

And, Be it also further Enaster, That any one of His Majesty's Justices of the Peace is hereby impowered to take the voluntary Confession of the Debtor, where the Debt shall not exceed Three Pounds, in like Manner as is provided for Confessions before the Justices of the Supream Court or Inferior Courts, for which Confession and Execution such Justice shall receive Two Shillings and no more.

# C A P. XIII.

6, Geo. 3. cap. 4.

An ACT in Addition to an Act made in the fixth Year of his present Majesty's Reign, intitled An Act for the Establishment of Fees, as regulated by the Governour and Council, at the Request of the House of Assembly.

Pees established.

A steinbly. That the Covernor, Council, and have by the Governor and Council hall be taken and received by the Judge and Register of Probates, as follows.

Fees of Judge of

Probate.

# JUDGE OF PROBATE'S FEES.

7 Sixteen Shillings and For Probate and Registering a Will, the Estate under £300. Eight Pence.

If above £300 to a £1000

All above £ 1000.

Administration Will annexed under £300.

On the Estate of £1000, and all above

Letter of Guardianship

Citation and Service

Three Shillings and Four Pence.

Letters Ad Collegendum

Warrant of Appraisement

Decree for Distribution from £300. to a ? Sixteen Shillings and £1000.

Above £1000

Ten Shillings.

Twenty Shillings. Forty Shillings.

Ten Shillings.

Ten Shillings.

Twenty Shillings.

Nine Shillings.

Eight Pence. Forty Shillings.

#### REGISTER's FEES.

For Probate and Registering a Will, the Estate under £300.

Ten Shillings.

Yees of Register.

If above £300, to a £1000 Thirtee n Shillings & Four Pence

All above a £1000. Twenty Six Shillings and Eight Pence.

Administration & Will annexed £300. Six Shillings & Eight Pence. Drawing Bond

Attending Execution of ditto

On the Estate £1000 and above

Bond and attending the Execution of 7 Six Shillings and Eight the fame.

Letter of Guardianship

Bond and attending the Execution of

the fame.

Letter Ad Collegendum Citation and Service

Fileing Inventory Accounts &c.

All fearches.

Copy of Will and Probate

Collating

Three Shillings & Four Pence.

Three Shillings & Four Pence. 7 Thirteen Shillings and

Four Pence.

Pence. Six Shillings and Eight Pence.

Six Shillings and Eight Pence.

Six Shillings and Eight Pence.

Six Shillings and Eight Pence.

Three Shillings & Four Pence.

One Shilling.

Six Shillings and Eight Pence-

Five Shillings.

Copying

Copying Inventory Accounts &c. one Shilling each Page of Eighteen Lines & Six Words to a Line.

Certificate under Seal

Six Shillings and Eight Pence.

Copy of Citation

Three Shillings & Four Pence.

Warrant of Appraisement.

Six Shillings.

Decree for Distribution from 3300 to £1000

Ten Shillings.

Above £1000.

Twenty Six Shillings & Eight Pence.

For every Bond by Order for just Distribution of Estate. Ten Shillings.

Every Exhibit.

Four Pence.