

C A P. XI.

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.

6. Geo. 3. cap. 9.
10. Geo. 3. cap. 4.

Preamble.

W *HEREAS* in and by the Nineteenth Section of an Act made in the Eighth Year of His present Majesty's Reign, intituled 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 Duty of Excise on Rum and other Distilled Spirituous Liquors, It is Enacted, That such distilled Spirituous Liquors as shall be issued for the Use of His Majesty's Navy, shall be deemed exported, and that the Collectors or Receivers of the Duties shall Credit the Stock on Hand of the Merchant, Distiller or other Person for so much as shall have been so issued, and in Case the Duty of Excise thereon shall 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 Meaning 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 Governor, 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 Bond 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 fine shall be sued for, levied, and recovered in Manner as is prescribed and directed for other Fines and Penalties in the aforesaid Act.

Continued to the First July 1771.

II. And be it Enacted, That an Act made in the Eighth Year of His present Majesty's Reign, intituled 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 Duty of Excise 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,

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

C A P. XII.

An A C T in Amendment of an Act, made in the Fifth Year of his present Majesty's Reign, intituled *An Act for the summary Trials of Actions.*

5. Geo. 3. cap. 1.

WHEREAS the Proceedings for the Recovery of small debts have hitherto been attended with great Expence, in order to remedy the same.

Preamble.

I. 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 sued 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 such Causes as relate to the other Townships in the Province the said 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 said 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 sued for before one or 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 Be it Enacted, 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 say 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.

Provided, 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 Provost Marshal, 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.

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