

there shall be paid by the Master of every Merchant Vessel coming into or going out of the said Harbour (other than Coasters and Fishing Vessels, belonging to the Province, and such Transports or other Vessels employed in His Majesty's Service, as shall by their Charter Party be exempted from paying Port Charges) a Duty of four Pence per Ton Currency, for so many Tons as shall appear by her Register or otherwise. *Provided*, That all Ships or Vessels wholly belonging to any Person that is a Freeholder and Inhabitant in this Province, shall only pay three Pence per Ton, the said Duty to be paid before clearing the said Vessel, to such Person or Persons; as shall hereafter be appointed, by his Excellency the Lieutenant Governor, for that Purpose, who are hereby authorized to demand and receive the same, and upon Refusal of Payment, to sue for, and recover the said Duty, before two of His Majesty's Justices of the Peace, or in case the same shall not exceed Forty Shillings, before one Justice.

All Vessels except Coasters &c. to pay a Duty of Four Pence per Ton.

Vessels belonging to Freeholders in the Province to pay only three Pence per Ton.

II. *And be it further Enacted*, That no Vessel shall be deemed a Fishing Vessel within the meaning of this Act, excepting such as shall be wholly employed in that Business, nor shall any Vessel be deemed a Coaster excepting such as shall be wholly employed within the Province.

What Vessels deemed Coasters, &c.

III. *And be it further Enacted*, That every Coasting Vessel shall pay in Lieu of the said Duty at the Rate of Twenty Shillings per Annum, and one Shilling for every Ton they may measure above Twenty Tons and no more, to be received and recovered in manner as aforesaid.

Coasting Vessels to pay 20s. p. Annum and One Shilling per Ton above Twenty Tons.

IV. *And be it further Enacted*, That all Monies arising by the aforesaid Duty shall be paid into the Treasury of the Province, and be applied towards the Support of the said Light House to be issued for the said Purpose by Warrant under the Hand and Seal of the Lieutenant Governor or Commander in Chief for the Time being of the Province, and in Case there be more Monies than is necessary for the Support of the said Light House, the Surplus to be applied to the Uses of the Government.

Monies arising by this Act to be applied towards the Support of the Light House to be drawn by Warrant of the Governor, &c.

And Surplus if any to be applied to the Uses of the Government.

C A P. IV.

An ACT in Amendment of an Act, passed the First Year of the Reign of His present Majesty, intituled, *An Act for the repairing and mending Highways, Roads Bridges and Streets, &c.*

 * W *

 HEREAS the public Roads in many Parts of this Province are frequently rendered impassable during the Winter by the Depth of Snow and repeated Falls thereof to the great Injury

Preamble.

jury of Individuals, and Inconvenience of the Public in general, for Remedy whereof;

Surveyor of Highways for the several Townships and Districts in this Province to order the Inhabitants as often as they shall deem necessary during the Winter to work on the public Highways.

Provided no Inhabitant shall be compelled to work more than one Days Labour for any one Fall of Snow, &c.

Inhabitants refusing to obey or neglecting such Orders of the Surveyors of Highways shall forfeit Ten Shillings for each Offence to the Use of the Road where the Offence may be committed.

I. *Be it Enacted, by the Lieutenant Governor, Council and Assembly,* That from and after the First Day of January, which will be in the Year of our Lord One Thousand Seven Hundred and Eighty Eight it shall and may be lawful for the Surveyors of the Highways in the respective Townships and Districts within this Province, to order and direct the Inhabitants as often as they shall deem necessary during the Winter to work on the public Highways with their Horses, Oxen and Sleds, in order that the Roads may be rendered passable. *Provided always nevertheless,* that no Inhabitant shall be compelled to furnish more than one Day's Labour of himself or Cattle for any one Fall of Snow, or where the Fall or Drift of Snow shall not exceed the depth of Twelve Inches.

II. *And be it further Enacted,* That every Inhabitant refusing or neglecting to obey such Order of the Overseers of Highways, shall forfeit for each Refusal or Neglect the Sum of Ten Shillings, to be recovered before any one of His Majesty's Justices of the Peace, and the Money so recovered to be paid into the Hands of the Surveyors of the Roads in the Town where such Offence was committed, for the Use of the Road within such Township.

C A P. V.

An A C T for the more effectually carrying into Execution the Provisions of an Act made in the Sixth Year of His Majesty's Reign, intituled, *An Act to prevent the Multiplicity of Law Suits.*

Preamble.

HEREAS the Act, intituled, An Act to prevent the Multiplicity of Law Suits, has been found insufficient to prevent litigious and vexatious cross Actions, for remedy whereof;

In all Actions the Defendant to file his Demand as an Offset four Days before the Sitting of the Court, or any Time previous to the Trial by Justice.

I. *Be it Enacted, by the Lieutenant Governor, Council and Assembly, and by the Authority of the same it is hereby Enacted,* That in all Actions commenced in any Court of Record, or brought before any Justice of the Peace on Bond, Bill, Note, Book Account, Agreement in Writing, or any other Assumption or Promise whatsoever, the Defendant or Defendants in such Actions shall file his, her, or their Account, Receipt or Demand as an Offset against the Plaintiff or Plaintiffs with the Clerk of the Court, where such Cause shall have been commenced, or Justice of Peace from whom the Summons or Compulsory Process issued, which Account, Receipt or Demand shall be filed at least four Days