

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Wednesday the first day of July, 1761, and in the first year of His Majesty's Reign, and there continued by several prorogations until Wednesday the 17<sup>th</sup> day of March, 1762, in the second year of His Majesty's Reign.*

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### **An Act to prohibit for a limited Time the Exportation of Warlike Stores.**

Whereas the exportation of warlike stores of whatsoever denomination from this province during the present war may be greatly prejudicial to his Majesty's subjects and the public service, be it enacted by the Lieutenant-Governor, the Council and Assembly, that no person or persons whatsoever during the continuance of the present war shall directly or indirectly export, transport, carry, or convey, or cause or procure to be exported, transported, carried or conveyed, out of or from this province, or load or lay on board, or cause or procure to be laden or laid on board any ship or other vessel, or boat in order to be exported or carried out of the said province, any ammunition or warlike stores of whatsoever denomination, under the penalty of the forfeiture of all such ammunition or warlike stores or the value thereof, and also of the ship or other vessel or boat, upon which any warlike stores shall be exported, shipped or laden to be exported as aforesaid, and all her guns, tackle, apparel and furniture, one moiety of all which forfeitures shall be for the use of his Majesty, his heirs, and successors and the other moiety to him or them, that shall inform, seize or sue for the same in any of his Majesty's courts of record in the said province, or in the court of Vice Admiralty, and that the master and mariners of any ship, boat, or vessel, wherein any such offence shall be committed, knowing such offence and wittingly and willingly aiding and assisting thereunto, and being thereof duly convicted in any of the said courts, shall be imprisoned for the space of three months, without bail or mainprize. Provided always, and be it further enacted, that this act or any thing herein contained shall not extend to prohibit the exportation of any ammunition or warlike stores from this province to the kingdoms of Great-Britain or Ireland, or from the said province to any other colony or plantation in America to his Majesty belonging, or from an port or place in the said province to any other port or place in the same, declare the Kingdom, Island, Plantation, or colony, and the port or place for which such warlike stores are respectively designed, and do make, subscribe, and deliver a manifest in writing and on oath to the naval officer for the time being (which oath such naval officer is hereby empowered to administer) expressing the particulars of such warlike stores, and do likewise become bound with two sureties of known residence in this province, and of sufficient ability, in the sum of five hundred pounds, if the ship or vessel be not above one hundred tons, and if above one hundred tons, then in fifteen hundred pounds, to the said naval officer for the time being, who is empower'd to take such security in his Majesty's name, and to His Majesty's use, that such warlike stores shall not be landed or sold in any parts whatsoever other than the kingdom of Great-Britain or Ireland, or some other of his Majesty's colonies or plantations in America, for which the same shall be so declared; and that a certificate under the hand and seal, or hands and seals of the collector or other chief officer of his Majesty's customs, or of the naval officer, or of some other

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principal officer of the port or place, where the same shall be landed, shall within the respective times hereinafter limited (the danger of the seas excepted) be produced to the said naval officer to whom such security shall have been given as aforesaid, that the said warlike stores expressing the particulars thereof have been landed at the port or place, for which the same shall have been so declared: and for the taking such security, no fee or reward shall be demanded or received. And if any person shall counterfeit, raise, or falsify any certificate, or knowingly publish any such counterfeit, raised, or false certificate, he shall forfeit the sum of two hundred pounds, and such certificate shall be void and of none effect, which said penalty shall be recovered in the same courts and in the same manner as the other penalties inflicted by this act are recoverable, and be divided in equal moieties between his Majesty and the informer.

Provided also, that in case the said naval officer when any certificate shall be produced to him, shall have cause to suspect, that such certificate is false and counterfeit, the bounds shall not be cancelled or the security vacated until the said naval officer shall have been informed from the person or persons in whose name such certificate shall appear to have been granted, that the matter and contents of such certificate are just and true.

Provided nevertheless, that the said bond or bonds if not prosecuted within three years shall be void.

And be it further enacted, that all certificates of the landing and discharging of any warlike stores of whatsoever denomination to be exported, shall be returned within the respective times following, (that is to say) when the bonds are taken in respect of any such warlike stores as aforesaid, to be exported to Great-Britain or Ireland, within eighteen calendar months, after the date of the said bonds, and in respect of any such warlike stores to be exported from this province, to any other of his Majesty's said colonies, or from any port or place in this province, to any other port or place in the same respectively within twelve calendar months, after the date of the said bonds respectively.