

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 17th day of March, 1762, in the second year of His Majesty's Reign.

2 George III – Chapter 1

An Act for the Regulating Innholders, Tavernkeepers, and Retailers of Spirituous Liquors.

Be it enacted, by the Lieutenant-Governor, council and assembly, that from and after the publication hereof no retailer, innholder, tavern or alehouse keeper, who shall sell upon trust or credit, any wine, strong beer, ale, brandy, rum, or other spirituous liquors, mixt or unmixt, to any soldier, sailor, servant, or day labourer, or other person whatsoever, to the amount of any sum exceeding the sum of five shillings, shall have any remedy to recover the same, either at law or in equity, against any of the persons aforesaid, their executors or administrators.

And be it further enacted, that in case any soldier, sailor, servant, apprentice, bound servant or negro slave, or other person whatsoever, shall leave any pawn or pledge, as a security for the payment of any sum exceeding five shillings, contracted in such manner, such soldier, sailor, servant apprentice, bound servant, or negro slave, or other person whatsoever, or the masters or mistresses of such servant, apprentice, bound servant, or negro slave, may complain to any justice of the peace where such retailer, innholder, tavern or alehouse keeper, or any other persons whatsoever, receiving such pawns or pledges, usually resides, that such pawn or pledge is detained from him or her by such retailer, innholder, tavern or alehouse keeper, or any other person whatsoever, and having made proof thereof upon oath, or otherwise to the satisfaction of said justice, such justice of the peace is required, by warrant under his hand and seal, to compel such retailer, innholder, tavern or alehouse keeper, or other person whatsoever, by distress and sale of his goods, to restore the aforesaid pawn or pledge to the party complaining, or to make him or her satisfaction for the loss or abuse thereof; and shall further be subject to a fine not exceeding twenty shillings, for the use of the poor, and costs of prosecution.

And be it further enacted, that no retailer or person whatsoever, shall harbour or suffer any apprentice, bound servant, or negro slave, nor suffer to be sold or given him or them, any of the liquors aforesaid, without special order or allowance of their respective masters or mistresses, on pain of forfeiting the sum of twenty shillings for every such offence, together with the charges of prosecution; to be recovered upon conviction on the oath of one credible witness, before any one of His Majesty's justices of the peace within the town or precinct where the offence shall be committed, or such other proof as shall be to the satisfaction of such justice; and to be levied by warrant of distress and sale of the offenders goods and chattels, under the hand and seal of the said justice, and for want of sufficient distress, such justice shall and may commit such offender to His Majesty's gaol, there to remain for the space of one month, or till he shall have paid and satisfied the same. And

such sum to be levied shall, by the said Justice be paid into the hands of the overseers of the poor of the town or precinct where the offence shall be committed, to be by them applied to the use of the poor of such town or precinct.

Provided always, that nothing herein contained shall extend to debar any retailer, innholder, tavern or alehouse keeper, from furnishing any traveller, or boarders in his family, with necessary refreshments on credit.