

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 9

An Act in Addition to, and Amendment of, and for further prolonging, an Act made and passed in the First Year of His Majesty's Reign, intituled, "An Act for suppressing unlicensed Houses, and for granting to His Majesty a Duty on Persons hereafter to be licensed."

Whereas notwithstanding the penalties inflicted by the act made and passed in the first year of His Majesty's reign, intituled, "An Act for suppressing unlicensed houses, and for granting to His Majesty a Duty on Persons hereafter to be licensed," divers idle and ill-disposed persons do continue to keep private tipling houses, to the great encouragement of vice and debauchery, and the diminution of His Majesty's revenue.

Be it therefore enacted by the Lieutenant-Governor, council, and assembly, that from and after the publication of this act, the collector or receiver, or collectors or receivers of other duties of impost and excise, or either of them shall be and are hereby impowered and required, to make diligent enquiry after and prosecute any person or persons, who shall presume to retail any kind of spirituous liquors contrary to the intent and meaning of the act made and passed in the first year of His Majesty's reign, intituled, "An Act for suppressing unlicensed houses, and for granting to His Majesty a Duty on Persons hereafter to be licensed," or that shall offend in any of the particulars therein contained.

And whereas amongst other things in the aforesaid act, it is enacted, "That all monies arising from the conviction of any person or persons aforesaid (in case there be no informer) shall be wholly paid to the treasurer of the province, and applied in the manner as therein after directed, but if there shall be an informer, one moiety of such money shall be paid to the said informer, and the other moiety of such money shall be paid to the said informer, and the other moiety to the said treasurer forthwith to be applied as aforesaid." It is thought necessary for the better encouragement of persons informing against such as may transgress against any of the clauses in the aforesaid act.

Be it therefore enacted, that all the monies arising from the conviction of any person or persons for the breach of any part of said act, shall after deducting the charges of prosecution, be paid two thirds to the person or persons who shall inform and sue for the same, and the remaining one third to be paid to the treasurer of the province to be applied to and for the uses of the public roads.

And be it also enacted, that when an information shall be made against any person or persons offending against the aforesaid act, and any person or persons shall be summoned to give evidence relative thereto, and that such person or persons so summoned, shall

neglect or refuse to give his or her attendance at the time and place mentioned in the summons, not having any just or reasonable cause therefor, to be allowed of by the justice before whom such information shall be made, or willfully withdraw himself or herself before sworn, or shall wilfully refuse to be sworn, or shall refuse to give his or her evidence; in every such case the party so offending shall forfeit and pay the sum of five pounds, to be levied by warrant of distress and sale, (from the said justice) on the offenders goods and chattels, and to be applied to the use of the poor of the town where such offence shall be committed, and to be paid by such justice to the overseers of the poor of the staid town; and for want of such distress, such person or persons shall be committed to goal, there to remain for the space of one month, or until the said sum of five pounds shall be paid.

Provided nevertheless, that no person shall be obliged to give evidence on any information, before such person be paid or secured their reasonable charges for attendance, to be allowed of and order'd by such justice.

And be it enacted, that the aforesaid act, with its addition and amendments shall continue and be in force for one year, from and after the third day of September, one thousand seven hundred and sixty-two, and until the end of the session of the general assembly then next following.