

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the fifth day of December 1785, in the Twenty Sixth Year of his said Majesty's Reign, and there continued by several Prorogations unto the Twenty Fifth Day of October, 1787, in the Twenty Eighth Year of his Majesty's Reign, being the Third Session of the Sixth General Assembly convened in the said Province.

28 George III – Chapter 6

An Act in Addition to, and Amendment of an Act made in the fifth Year of His present Majesty's Reign, intituled, "An Act for regulating Servants."

Whereas great inconveniences have arisen, and do arise from the misbehaviour of bound and hired servants, for remedy whereof;

I. Be it enacted, by the Lieutenant Governor, Council and Assembly, that from and after the publication hereof, no person whatsoever within this province, shall hire a man or maid servant for any longer term than one month, unless a memorandum of such hiring shall be made in writing and signed by both parties in presence of one witness at least, who shall read and explain the same to both parties, which memorandum shall specify the period for which such servant shall have agreed to serve, and the wages or other considerations which he or she is to receive for his or her service, and all verbal agreements between master and servant for a longer period than one month are hereby declared to be null and void.

II. And be it further enacted, that it shall and may be lawful for any one of his Majesty's justices of the peace on complaint made by the master or mistress of any servant hired by him or her, either verbally or by writing, that such servant has wilfully misbehaved to enquire into the merits of such complaint, and if such justice shall find the same to be well founded, it shall and may be lawful for such justice to order a reasonable part or portion of such servant's wages or other emoluments to be stopped in the hands of the master or mistress, provided such stoppage for any one offence shall not exceed the sum of five shillings.

And whereas drunkenness is a vice become very prevalent among the lower order of people, and especially among servants to the great danger of the families in which they live, as well as to the great loss and injury of their masters, for remedy whereof;

III. Be it enacted, that if any master or mistress shall sell rum or other spirituous liquors to any servant hired by him or her, such master or mistress, shall forfeit and pay for each and every such offence on conviction before any justice of the peace, double the value of such rum, or other spirituous liquors, and it shall not be lawful for any master or mistress; to stop the wages, or any part thereof of any servant or labourer in his or her service or employment, for, or on account of any rum or other spirituous liquors sold to such servant or labourer, while in his, or her service or employment.

IV. And be it further enacted, that all notes, bills, specialties, or agreements whatever; which shall hereafter be given to any person or persons whatsoever, by any servant or common labourer, if it shall appear, that any part of the sum due or secured by such bond, note, bill, specialty, or agreement, was given for or on account of any rum or other spirituous liquors, the same and every part thereof shall be void and of none effect, and all accounts or contracts on which suits shall or may be brought against any servant or common labourer, in which shall appear any charge made, directly or indirectly, for rum or other spirituous liquors, the whole of such account or contract shall be null and void, and the party suing the same shall become nonsuit.

V. And be it further enacted, that if any tavernkeeper, or retailer, shall by himself, or any other person, buy, purchase, or receive in pawn; any wearing apparel, tools or implements of trade or husbandry, or any household goods or furniture made up from any servant or common labourer, such tavernkeeper or retailer shall forfeit and pay for every such offence a sum not exceeding forty shillings, and the bargain, sale, or pawning shall be ipso facto void, and the articles so purchased or received, be immediately restored, or double the value thereof, on pain of imprisonment, not exceeding one month, at the discretion of the justice or justices before whom complaint shall be made, and all persons keeping a tavern or retailing spirituous liquors within this province, after the publication hereof, are always to keep a fair ligible copy of this act pasted or hung up in some public and conspicuous part of their house under the penalty of ten shillings, for each and every days neglect thereof, to be recovered before any justice or justices of the peace on the complaint of any person or persons whatsoever.

And whereas it is become requisite, as well to provide a more suitable punishment for persons convicted of clergyable felony, grand larceny and other offences, as to bind out to service all vagabonds, disorderly and beggarly persons.

VI. Be it therefore enacted by the authority aforesaid, that from and after the publication hereof, all disorderly and beggarly persons, who shall be found strolling in any part of this province, and who on examination before three of his Majesty's justices of the peace, shall not be able to show any visible means, whereby he or they obtain a sober and honest livelihood, it shall and may be lawful for such justices to commit such person or persons to the next jail, or bridwell, and to provide a master or mistress for such person or persons, and to execute an indenture or indentures in the usual form to bind such person or persons to any master or mistress, who shall appear to hire him or them, for such term of time, and on such conditions as such justices in their discretion shall think fit, not exceeding seven years, and all persons convicted of any clergyable felony, grand larceny, or other offences in any of his Majesty's courts of judicature within this province, besides the penalty inflicted by law on such offenders may be bound out to service as aforesaid, by order of the judges or justices of such court or courts, and all persons receiving indentures from the several authorities aforesaid, shall be entitled to the entire service and labour of the person or persons so indented or bound, and all persons having servants bound to them by the authority aforesaid, or by the voluntary act of any servant, may sell or assign the unexpired term of

such servant or servants, and the assignee or purchaser shall be as fully entitled to the entire service and labour of such servant as the person who assigned the same. Provided such assignment shall be made in the presence of, and with the approbation of three justices of the peace, and security given, if required, not to carry such servant out of the province.

VII. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the justices in sessions for each and every county or district within this province, and they are hereby directed from time to time, to make further orders and regulations for the better government and more effectual correction of disobedient or refractory servants within their respective jurisdictions, and also for the apprehending all runaway servants, and conveying them to their proper masters and mistresses.

VIII. And be it further enacted, that all and every the former laws of this province, respecting masters and servants or either of them, so far as the same or any part thereof are not expressly abrogated or altered by this present act, shall be construed to be in full force.