

Collector, or other officer or officers, by any person or persons, for any thing by him done in the execution of his office, by virtue or in pursuance of this Act, he or they shall or may plead to such action or suit the general issue, and give the special matter in evidence, at the trial to be had thereon; and if it shall appear to have been done in pursuance of, and under the authority of this Act, the jury shall find for the defendant or defendants, and such defendant or defendants shall recover his or their costs of suit.

XXXVI. *And be it further enacted,* That all fines, penalties and forfeitures, for any offence against this Act, shall be prosecuted, levied and recovered, by bill, plaint or information, in any of his Majesty's Courts of Record within this Province; and that one moiety of such fines, penalties and forfeitures, shall be to his Majesty, his heirs and successors, to be applied to the support of the Government of this Province; the other moiety to him or them who shall discover, inform or sue for the same, together with full costs of suit; and that on all prosecutions for any fines, penalties and forfeitures, for any offence against this Act, the prosecutor and defendant shall be entitled to demand a special jury for the trial thereof, and to take the depositions of witnesses, to be used in evidence at such trial, as is practised and authorised by the laws and usages of this Province in civil actions.

Recovery of penalties, &c.

XXXVII. *And be it further enacted,* That the monies which shall be paid into the Treasury by virtue of this Act, shall, from time to time, be drawn for by the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by warrant under his hand and seal, pursuant to the instructions and directions of His Majesty, in payment and discharge of any monies appropriated or to be appropriated by any Act or Acts of the General Assembly, for the support of His Majesty's Government, and for other public uses of this Province.

Application of Revenue.

XXXVIII. *And be it further enacted,* That out of the monies which shall hereafter be secured, collected and paid in cash into the Treasury of the Province, by the Collector of Impost and Excise for the district of Halifax, by virtue of this Act, there shall be allowed and paid to the said Collector the sum of three pounds ten shillings for every hundred pounds so by him collected and paid into the Treasury.

Allowance to Collector of Halifax.

*Provided always,* That if the amount of the commission granted by this Act, or any other Act of the General Assembly, to the Collector of Impost and Excise, of the district of Halifax, shall exceed in the whole the sum of seven hundred pounds, for the year ending on the eighteenth day of March, one thousand eight hundred and sixteen, the surplus shall be accounted for, and paid by the said Collector, into the Treasury of the Province.

Proviso.

XXXIX. *And be it further enacted,* That this Act, and every matter, clause and thing, herein contained, shall be and remain in full force and virtue until the twenty-fourth day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, and no longer.

Continuation of this Act.

### CAP. III.

An ACT to continue the several Acts of the General Assembly, for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made in the thirty-second year of His present Majesty's reign, entitled, An Act for the further increase

ACTS,  
32d Geo. III.

create

48.h Geo. III. create of the Revenue, by raising a duty of Excise on all goods, wares and merchandise, imported into this Province; also, the Act, made in the forty-eighth year of His said Majesty's reign, for repealing so much of the aforesaid Act as exempts from such duty certain articles therein enumerated, and for declaring what goods, wares and merchandise, shall hereafter be exempt from such duty of Excise; and also the Act, made in the fifty-fourth year of His present Majesty's Reign, entitled, An Act to continue the several Acts of the General Assembly for the further increase of the Revenue, by raising a duty of Excise on all goods, wares and merchandise, imported into this Province; and every matter, clause and thing, therein mentioned, be continued, and the same are hereby continued, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, and no longer.

Continuation of Act.

## CAP. IV.

An ACT to repeal the first clause of an Act, made in the twenty-eighth year of his Majesty's reign, entitled, An Act in amendment of an Act, made in the twenty-first year of his Majesty's reign, entitled, An Act in addition to an Act, made in the tenth year of his present Majesty's reign, entitled, An Act for establishing the Toll to be taken at the several Grist Mills in this Province.

1st sec. 28th Geo. III. repealed.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the first clause or section of the aforesaid Act, made and passed in the twenty-eighth year of His Majesty's reign, and every matter and thing in the same contained, is hereby repealed; any thing in the said Act to the contrary notwithstanding.

## CAP. V.

An ACT in amendment of an Act, passed in the last Session of the General Assembly, entitled, An Act to enable the Proprietors to repair the Meeting-House at Truro; to enclose the Burying Place belonging to the same; and also to assess Monies for defraying the expences thereof.

Enclosing Burying-Place at Truro.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the expence which may be incurred by enclosing the Burying Place at Truro, shall be assessed, collected and levied, in the same manner, and by the same rules, as Poor Rates are assessed, collected and levied, on all the Inhabitants of Truro, who usually attend Divine Worship at the Meeting-house there, and claim privilege in the said Burying Place.

Right to Burying-Place.

II. *And be it further enacted*, That the said burying-place when so enclosed shall and be deemed the common burying-ground for all persons inhabiting or residing within the township of Truro.