

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the 28<sup>th</sup> day of May 1765, in the Fifth Year of His Majesty's Reign, and there continued by several Prorogations until the tenth day of October 1769, in the Ninth Year of His said Majesty's Reign; being the Eighth Session of the Fourth General Assembly convened in the said Province.*

9 George III – Chapter 2

**An Act in further Addition to and Amendment of an Act, made in the Thirty Fourth Year of His late Majesty's Reign, intituled "An Act for appointing Commissioners of Sewers."**

Whereas in the last clause of an Act, made in the third year of His present Majesty's reign, intituled An Act in Addition to, and Amendment of an Act intituled "An Act for appointing Commissioners of Sewers," made and passed in the 34<sup>th</sup> year of His late Majesty's reign; it is enacted, "that if any proprietor or proprietors of the lands dyked in or drained, are absent, and no person appearing in their behalf, and have not any goods or chattels to answer his, her or their dividend or proportion of such assessment made as aforesaid, it shall and may be lawful for any one of His Majesty's Justices of the Peace for the County where such lands lie, to let out any part of such delinquent's lands, that may be sufficient to pay, by the produce of the same, any such dividend or proportion of the sum so due;" But whereas it has been found by experience, that in many instances it is impracticable to lease out the lands of the non resident and delinquent proprietors, for defraying the expences of dyking and draining, in manner as by the above recited clause is directed, and therefore the whole burthen and charge thereof, has lain and does lie on a part of the proprietors, while the lands of such delinquents are enhanced in value, without bearing any part of the expence incurred for the purpose aforesaid: For remedy whereof, be it enacted by the Governor, Council, and Assembly, that if no person shall appear to pay the dividend or proportion of any delinquent proprietor, in any assessment made according to law, for the dyking or draining such lands, or no sufficient distress shall be found on the premisses to answer such assessment as aforesaid, the commissioners of sewers shall, by advertisement, during three months in the public prints, cause notice to be given for the letting out the lands of such delinquent proprietor, and if no person shall then appear to hire the same, it shall and may be lawful for the said commissioners, or any three of them, to order the Provost Marshal or his deputy, to sell at public auction, to the highest bidder, so much of such delinquent's lands, so dyked in and drained, as may be sufficient to pay any such dividend or proportion of the sum due as aforesaid, with the charges; being first appraised on oath by three persons to be appointed by warrant under the hands and seals of the said commissioners; and the Provost Marshal or his deputy is hereby fully empowered and directed, immediately to execute a deed thereof, and deliver seizin and possession of the same to the purchaser or purchasers; (for which the said Provost Marshal or his deputy shall receive a fee of ten shillings and no more) any law, usage or custom to the contrary notwithstanding.

II. Provided always, that any person thinking himself aggrieved at any sale, so made by the commissioners in pursuance of this Act, may appeal to the General Assembly for relief.