

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the 4<sup>th</sup> day of December 1759, and in the 33<sup>d</sup> year of His Majesty's Reign, and there continued by several Prorogations until Monday the 8<sup>th</sup> Day of September, 1760, in the 34<sup>th</sup> Year of His Majesty's Reign.*

34 George II – Chapter 8

**An Act for encouraging the Improvement of Lands in the Peninsula of Halifax, and further quieting of Possessions.**

Whereas great inconveniences and prejudices have arisen on account of not improving the lands on the peninsula of Halifax: And whereas by the absence of several grantees, and the neglect and death of others, many of the lots lie waste.

In order therefore to encourage the improvement of the lands within the said peninsula, be it enacted by his Excellency the Governor, Council, and Assembly, and by the authority of the same it is hereby enacted, that in all cases where the grantees of lands within the said peninsula, have been absent from the Province, or have lived therein, for the space of seven years and no improvement made thereon for that time: And likewise in such cases where any grantees of lands are dead, and no persons in right of such grantees have claimed said lands; it shall and may be lawful, upon an inquest of office, on the oaths of twelve men sworn for that purpose, held before the Commissioner of Estates and Forfeitures, according to the commission to him granted, and duly returned into the Office of Register of the Court of Chancery, for the Governor or Commander in Chief for the time being, with the advice and consent of His Majesty's Council, to make grants and conveyances of such lands so returned, which grants and conveyances shall be good, valid, and effectual, to all intents and purposes whatsoever.

Provided, that it shall and may be lawful, for all persons interested or intitled to such lands as are comprized in said office, to traverse the same, within twelve months from the date of such inquest, and if the said office shall not be traversed within said time, the grant of said lands, by virtue of such inquest, by the Governor or Commander in Chief with advice as aforesaid, shall be absolute according to the form and effect of such grant.

And whereas it may be doubtfull, whether the registry of lots of land (granted simply as lots without any formal conveyance under the seal of the Province) within the said peninsula of Halifax, or elsewhere in this Province, import a conveyance in fee simple to the persons in whose names the same are registered: For the quieting such persons in their possessions,

Be it enacted, by the authority aforesaid, that all and every person, having a right to claim by virtue of such registry, (excepting the persons absent or neglecting to improve as aforesaid) shall be intitled to a full and absolute estate in fee simple, in the lands so registred, any want of form in the said registry notwithstanding.