

*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 the 19<sup>th</sup> day of October, 1763, in the Third Year of His Majesty's Reign.*

3 George III – Chapter 3 (Session 2)

**An Act to Enable Proprietors of Lands, to Assess and Discharge the Expence, which has Accrued upon Dividing their Lands, by Virtue of a Former Law of this Province.**

Whereas by an Act of this Province, intituled, An Act to enable Proprietors to divide their lands, held in common and undivided, sundry proprietors of lands within this Province, have proceeded to a division under the sanction of the aforesaid Act, which has since been repealed; and whereas considerable expence has attended the making such division.

Be it enacted, by the Lieutenant Governor, Council, and Assembly, that all persons, proprietors of lands within this Province, who by virtue of an Act, intituled, An Act to Enable Proprietors to Divide their Lands, held in Common and Undivided, have heretofore by a majority of the proprietors, agreed upon, and divided their lands under the sanction, and agreeable to the directions of the said recited Act; each and every such proprietor, shall pay their dividend or proportional part of all such expence, as may have arisen from the making such division.

And be it further enacted, that all accounts of expences incurr'd for the services aforesaid, shall before payment, be laid before the Justices of the Peace for each county, in their Quarter Sessions; who are hereby impowered to appoint proper persons, to audit said accounts, and to make a dividend to each right or share of land in such propriety, in just and equal proportion; which dividend or proportion, when approved of by the said Court of Quarter Sessions, shall be paid by each proprietor or person in possession of such hands, to the person or persons to be appointed by the propriety to receive the same; and if any proprietor or other person in possession of any right, or share of land, dividend as aforesaid, shall refuse or neglect to pay his, her, or their respective dividend, or proportion as aforesaid, it shall and may be lawful, on complaint of such receiver appointed as aforesaid, for any one of His Majesty's Justices of the Peace, to issue a Warrant of Distress and sale of the deliquents goods and chattels, for the recovery of the same, with the charges of prosecution.

And be it further enacted, that if any proprietors of lands, dividend as aforesaid, be absent, and no person appearing in their behalf, or shall be present [a distress] no any goods or chattels, to answer his, her, or their dividend, or proportion of expences as aforesaid, it shall and may be lawful, for any one of His Majesty's Justices of the Peace, residing in the township where such lands lie, to let out any part of such deliquents land that may be sufficient to pay, by the produce of the same, any such dividene or proportion then due.

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Provided always, that if any person or persons, shall think themselves aggrieved by any one of His Majesty's Justices of the Peace, concerning the letting their lands as aforesaid, such person or persons may complain to the Justices of the county in their Quarter Sessions, who are hereby impowered to hear, and determine all such complaints.

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