

CAP. VI.

An ACT in addition to, and amendment of, an Act, made in the Fifth year of the reign of His present Majesty, entitled, an Act to enable the Inhabitants in the several Townships in this Province, (Halifax excepted) to cause any absent proprietor of lands within the same, to pay a dividend or proportion of any County or Town Charge, to be assessed according to law, and to bear their just proportion in repairing highways, roads and bridges, within the said Townships respectively.

For Acts on this subject, see note on 5th Geo. 2d. cap. 5.

WHEREAS the Act above mentioned, has been found by experience, insufficient for effecting the salutary purpose for which it was intended, and it is just and necessary to the improvement of the Province, that the lands of absent proprietors should be made more effectually liable to the payment of the rates and taxes assessed upon them, and of their proportion of the expence of repairing highways, roads and bridges:

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication of this Act, when no person shall appear to pay the rates and taxes, assessed on any tract or parcel of land, or to perform his proportion of highway labour for the same, and no goods or chattels can be found on the premises, or within the county, whereon to levy an execution or distress for the payment of such rates and taxes, or the fine for the non-performance of such highway labour, the Collector of all rates and taxes for the district, in which such land shall be situate, or the Surveyors of Highways for such district, shall report to the Justices of the Peace for the county, in which such district may be, in their Spring Session, the amount of such rates, taxes, and fines; and it shall and may be lawful for the said Justices to order the Clerk of the Peace for the said county, to advertise to be let, such lands, for the space of three months, in the most public places, in the county and township, wherein such lands may be situated; and if no person shall be found willing to give as much for the hire of the same for one year, as the amount of the rates, taxes, and fines, as above; with reasonable charges for advertising the same, then it shall and may be lawful, upon representation for that purpose, by the said Clerk, to the Supreme Court, for the said Court in all such cases to direct a sale to be made at public auction, to the highest bidder, of so much of the delinquent's lands as shall be sufficient to pay the amount of his, or their, said rates, taxes and fines, together with the charges of such sale, and good and sufficient deed or deeds of conveyance of the land so sold, to be made and executed, by, and in the name of, such Clerk of the Peace respectively, reasonable means having been previously used by the said Court, according to its discretion, for the ascertaining of the proprietor, and for the enabling of him by due notice, to prevent the necessity of such sale, by satisfying the said charges and expences, with the costs attending such enquiry and notice as aforesaid.

Lands made liable for the payment of Taxes.

Provided always, That if the rents or proceeds on the sale of such lands, shall be more than sufficient to pay and defray the amount of such rates, taxes and fines, with all reasonable costs and charges attending the rating, taxing, advertising, letting or selling, the same, the surplus shall be paid to the proprietor of such lands, or any persons duly authorized to receive the same; and if no such person shall appear to claim the same, for the space of three years, such surplus having been previously paid into the Treasury of the county or district, wherein such lands may be situated, shall there remain to be applied to such public purposes as the Justices of such county or district in their Session shall think meet.

Disposal of the surplus of the monies arising from the sale of lands.

Penalty for Collectors neglecting to report delinquents.

II. *And be it further enacted*, That if any Collector of Taxes, or Surveyors of Highways, shall, previous to the expiration of his office, neglect to make report in manner as herein before directed, he shall forfeit the sum of two pounds, to be applied to the relief of the Poor of the township for which he shall be chosen, and if any Clerk of the Peace shall refuse or neglect to make such representation as is herein before directed, he shall forfeit the like sum, to be applied to the same use.

CAP. VII.

An ACT for extending to the several Towns of Windsor, Annapolis and Lunenburg, the Provisions of an Act, passed in the second year of the Reign of his present Majesty, entitled, an Act for appointing Firewards, ascertaining their Duty, and for punishing Thefts and Disorders, at the Time of Fire; and also, of the several Acts made in addition to, or amendment of, the said Act.

For Acts on this subject, see note on 2d Geo. 3d. cap. 5.

Preamble.

WHEREAS it is expedient and necessary, that the several provisions contained in the Act, passed in the second year of the reign of his present Majesty, entitled, An Act for appointing firewards, ascertaining their duty, and for punishing thefts and disorders at the time of fire; and also the several Acts, made in the twenty third, twenty eighth, and thirtieth years, of his said Majesty's reign, in addition to, or amendment of, the said Act, should be extended to the towns of Windsor, Annapolis and Lunenburg.

Act for appointing Fireward extended to Windsor, Annapolis, and Lunenburg.

I. *Be it therefore enacted, by the Lieutenant Governor, Council and Assembly*, That from and after the publication hereof, the several matters, clauses and things, specified and contained in the said before recited Acts, shall be, and the same are hereby extended to the several towns before mentioned. *Provided always*, that it shall be lawful for the Justices in their Sessions, to assign the limits within which the inhabitants of the respective towns abovementioned, shall be liable to make good losses sustained, and recoverable, under the first of the above recited Acts, as hereby extended; any thing, in the present Act, to the contrary notwithstanding.

CAP. VIII.

An ACT to enable the Deputy Surveyors of this Province, to administer an Oath, or Affirmation if Quakers, to such Persons as may be employed under them, as Chain Bearers in measuring Lands.

Preamble.

WHEREAS the Surveyor General of lands has ordered his deputies not to proceed on the survey of lands, until the chain men, to be employed under him for that purpose, have been sworn to the faithful discharge of their duty. *And whereas* it frequently happens, that persons employed as chain bearers in laying out lands, are under the necessity of travelling a great distance, in order to have an oath administered to them, by some one of His Majesty's Justices of the Peace, previous to their, the said chain bearers, proceeding to assist in laying out such lands, which is attended with expence and inconvenience: for remedy whereof:

Administering of Oaths to Chain Men.

I. *Be it enacted, by the Lieutenant Governor, Council and Assembly*, That from and after the publication of this Act, it shall and may be lawful for all Surveyors who are, or may be appointed by the Surveyor General of Lands, as his deputies, where there is no Justice of the Peace within