

seals of, at least, nine of the said jurors, wherein the value of such lot or lots of ground shall be expressed, in which said verdict the jurors aforesaid, shall give a particular description of the metes and bounds of such lot or lots, specifying each lot, distinct and separate from the others, according to the number of proprietors, and such verdict, so delivered into the said Court, shall be duly entered, and become a record of the said Court.

VII. *And be it further enacted, by the authority aforesaid,* That the value of such lot or lots of ground in money, so ascertained by the said verdict, shall be paid by the said Commissioners, to the proprietor or proprietors thereof; and in case the said lot, or lots, shall appertain to absent persons or minors, or the proprietor or proprietors thereof shall abscond, so as that the sum of money awarded cannot be paid, or tendered, to them, or shall neglect, or refuse, to receive the same when tendered, the said money shall be lodged in the Treasury for their use, there to remain until some person, duly authorized by law, shall apply for the same, and the said lands shall thereupon be vested in His Majesty, His heirs and successors, for ever.

VIII. *And be it further enacted, by the authority aforesaid,* That if the Sheriff shall refuse, or neglect, to summons a jury as aforesaid, he shall forfeit, and pay, the sum of twenty pounds, for each, and every offence, and in case any of the jurors, duly summoned, shall not attend, or shall refuse to be sworn, such juror shall forfeit, and pay, for such neglect, or refusal, the sum of five pounds, to be levied by warrant, from the said Court, of distress and sale of the offender's goods and chattles.

IX. *And be it further enacted, by the authority aforesaid,* That an Act, made in the twenty eighth year of the reign of His present Majesty, entitled, An Act for enabling Commissioners to make sale of the Public Buildings, therein named, for public uses, and to erect on the lower parade, in the town of Halifax, a commodious building, and also to provide, or build, a common jail; and every matter and thing, in the said Act contained, (saving, and except such parts of the said Act, as have been already carried into effect) shall be, and the same are hereby, repealed, and no longer in force or effect.

Commissioners to pay the value to proprietors & the Lands appertaining to absent persons or minors; the value to be lodged in Treasury till applied for.

Neglect of the Sheriff to summon a jury.

Non-attendance of jurors, after summoned.

Former Act made in 1788, repealed, except such parts as have been carried into effect.

CAP. II.

An ACT to enable the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint Trustees, for the Common of the Town of Dartmouth, on the death, or removal, of the Trustees holding the same, and to vacate that part of the grant of the Common aforesaid, which vests the trust in the heirs, executors or administrators, of the Trustees, named in the said grant, on the death of such Trustees.

See 20th Geo. 3d. cap. 6.

WHEREAS by letters patent under the great seal of this Province, bearing date the 14th day of September, in the year of our Lord one thousand seven hundred and eighty-eight; His Majesty was pleased to grant to Thomas Cochran, Timothy Folger, and Samuel Starbuck, their heirs, executors, and administrators, the common of the township of Dartmouth; situate on the eastern side of the harbour of Halifax, in special trust, for the use of the inhabitants settled and resident in the town plat, or that might thereafter settle, and actually reside, within the township of Dartmouth, during such residence only; as a common, for the general benefit of such resident settlers, and not otherwise. And whereas the said Timothy Folger and Samuel Starbuck, have removed from this Province, by reason whereof the good intent of the said grant, is in a great measure defeated; and whereas many, and great inconveniences

Preamble.

may arise from the trust aforesaid, on the death of either, or the whole, of the said trustees, devolving to their heirs, executors, or administrators; for remedy whereof:

Governor to appoint Trustees for the Common at Dartmouth.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to nominate and appoint fit and proper persons, trustees for the common of the town of Dartmouth, which trustees, so nominated and appointed, shall hold the said common on the same terms and conditions, as the trustees, named in the aforesaid grant, are authorised to hold the same, by virtue of the said grant.

And on the death of any Trustee, to appoint another to exercise the trust.

II. *And be it further enacted,* That it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, from time to time, and at all times hereafter, on the death, or removal out of this Province of any of the aforesaid trustees, to nominate and appoint another person, to exercise the said trust.

Former trust vacated.

III. *And be it further enacted,* That so much of the said grant as relates to the appointing the before named *Timothy Folger*, and *Samuel Starbuck*, trustees, as aforesaid, and such part thereof, as, on the death of either of the trustees, therein named, devolves the trust on the heirs, executors or administrators, of the trustee so deceased; and every matter and thing, in the said grant contained, relating to the same, shall be, and the same is hereby, vacated, and no longer in force or effect.

Power of Trustees appointed under this Act.

IV. *And be it further enacted,* That the trustees to be named, in and under this Act, shall exercise, and use, every right, power and privilege, heretofore given to the trustees, named in the aforesaid grant, and referred to in an Act, passed in the twenty-ninth year of His Majesty's reign, entitled, An Act to enable the inhabitants of the town plot of Dartmouth, to use, and occupy, the common field, granted by His Excellency the Lieutenant-Governor, in such way as may be most beneficial to them.

CAP. III.

An ACT in amendment of an Act, passed in the Twenty-ninth year of the reign of His present Majesty, entitled, An Act for the better regulation of Elections.

Preamble.

WHEREAS conveyances have heretofore been made, for the purpose of qualifying persons to vote in counties and towns within this Province, for members to represent them in General Assembly:

What constitutes the right of voting at an election, and of an individual to be elected.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That each person hereafter to be chosen a member of Assembly, and each elector, at the time of giving his vote, in any election hereafter to be held in this Province, shall actually have an income of forty shillings per annum, in freehold estate, or shall have, within the county or town for which he shall vote, or be elected, in his own right in fee simple, a dwelling-house, with the ground on which the same stands; or one hundred acres of land, whereof five acres, at least, shall be under cultivation: such person, or persons, possessing any one of the before mentioned interests, shall be entitled to vote, or be elected, for the county, or town, wherein the same shall be situate. *Provided always,* That no person shall be entitled to vote in any election, to be hereafter held in this Province, or shall be eligible to serve as a member of Assembly, who shall not have had the grant or conveyance, under which he holds as aforesaid, registered six months before the test of the writ for holding the election. *Provided also,* That nothing in this Act contained, shall be construed to extend to any person, or persons, holding, by descent or devise, of the yearly value aforesaid.