

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matter and thing, in the said grant contained, relating to the same, shall be, and the same is hereby, vacated, and no longer in force or effect.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.