

Prosecution
within 4 months

This act not to
extend to persons
killing moose for
their support on
journeys.

Continuance of
the act.

and sale of the offender's goods; and in default of such distress the offender to be committed to the county gaol for two calendar months, or until payment be made. *Provided*, That any offence committed against this act shall be sued for within four calendar months after the same shall have been committed. *Provided also*, That nothing contained in this act shall be construed to extend to persons travelling upon their lawful occasions, and not for the purpose of hunting thro' uninhabited parts of this province, and who may have occasion to kill moose merely for support on their journey. *Provided also*, That this act shall continue and be in force for two years, from the said first day of March, and no longer.

CAPXL.

An ACT to oblige ABSENT PROPRIETORS to pay a proportion of any public charge, and to repair highways.

Preamble.

WHEREAS there are many persons who own lands in counties where they do not reside, whose lands are enhanced in their value, by the labor of those who are present.

Non-resident
proprietors of
land &c. to pay
their proportion
of charges assess-
ed thereon, and
of labor on high-
ways.

I. *Be it enacted by the Governor, Council and Assembly*, That each and every such proprietor or proprietors of any lands, tenements or hereditaments, within this province, shall pay or cause to be paid, his, her, or their just quota or proportion of all charges hereafter to be assessed on the lands within such county, and upon failure thereof, the same to be recovered, as may be directed by the laws empowering such assessment, and each and every non-resident proprietor or proprietors of such lands, tenements or hereditaments, shall be obliged to do and perform his, her or their parts or proportion of labor on the highways, streets, roads and bridges, within their respective limits, or pay for the same as delinquent inhabitants.

Such delinquent
proprietors being
absent or not ap-
pearing within 6
months after
public notice in
the Royal Gaz-
ette; & justices
may let out their
lands, or, if ne-
cessary, may or-
der the sheriff to
sell the same to
pay such charges
and costs.

II. *Be it also enacted*, That if any proprietor or proprietors of any real estate as aforesaid, shall be absent, and no person appear in their behalf within six months after public notice being given in the Royal Gazette, to pay his, her or their quota or proportion of any assessment as aforesaid, made by virtue of any law of this province, or of labor on highways, streets, roads and bridges as aforesaid, and not having any goods and chattels to answer his, her or their quota or proportion of any charge made as aforesaid, it shall and may be lawful for any three of his Majesty's justices of the peace, *quorum unus*, who are hereby empowered to let out such part of the delinquent's lands as may be sufficient to pay, by the

the produce thereof, any such quota, proportion, or charge so due, and in case the lands of such absentees, should not for the present produce sufficient to pay the quota of his, her or their proportion of such assessment, or no one appear to hire the same, that then it shall and may be lawful for such justices, by warrant under their hands and seals, to order the sheriff or his deputy, to sell at public auction to the highest bidder, so much of the lands of such delinquent, as may be sufficient to pay the quota, proportion or charge as aforesaid, with the costs and charges attending the same. And the sheriff or his deputy is hereby empowered and directed to execute a deed to the purchaser or purchasers thereof, their heirs and assigns, and deliver seizin and possession of the same to such purchaser.

Sheriff to execute deeds to the purchasers.

CAP. XLII.

An ACT to enable the treasurers of the respective counties in this province to recover from such person or persons, as have heretofore received any MONIES or are otherwise indebted for the sale of MILL PRIVILEGES and PUBLIC LOTS.

WHEREAS divers persons in this province have received sums of money, and are otherwise indebted for the sale of mill privileges and public lots, sold by order of the Governor or of *Nova-Scotia*, and have not yet accounted to any person for the same.

Preamble.

I. *Be it enacted by the Governor, Council and Assembly,* That all and every person or persons, who have or hath any public monies in his or their hands, or are otherwise indebted by such sales aforesaid, shall and may, and they are hereby required to pay the same into the hands of the respective county treasurers of such county where such privileges and lots were sold, and the receipt of such treasurer shall be a full and sufficient acquittance and discharge to him or them for the same. And if any person or persons when thereunto required by such treasurer shall refuse or neglect to account and pay to such treasurer all and every sum or sums which he or they shall have, in his or their hands, or are otherwise indebted as aforesaid, such treasurer shall and may sue for and recover the same in any court of record in this province, having competent jurisdiction, by action of debt, bill, plaint or information, and upon judgment given for the plaintiff, he shall and may recover treble costs of suit.

Persons having public monies or indebted for mill privileges, &c. to pay the same to county treasurers.

Treasurers may sue for such monies &c. on refusal to pay.