

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.

II.

Such monies to be appropriated by justices in sessions.

II. *And be it further enacted*, That all such monies so received or recovered by any such treasurer, shall be disposed of, and appropriated by the justices of the peace at their general sessions in the respective county, by their order or orders, for the uses and purposes which such privileges, and public lots were declaredly sold for, at the time of such sale, and should there be any overplus after such purposes are answered, the same is to remain in the hands of such treasurer and be considered as part of the public stock of such county. *Provided*, That any person or persons conceiving himself or themselves aggrieved by such order or orders, shall and may within six months from the date thereof, bring a writ of *certiorari*, in the supreme court, to remove the same order or orders, which court is hereby authorized to hear and finally determine the same.

Persons aggrieved may bring a writ of *certiorari* in supreme court

Persons having demands to be paid on certificate of court of sessions.

III. *And be it further enacted*, That all persons who have any demands against any town or district, for the discharge of which the sales aforesaid are declaredly made, are hereby required to deliver in a particular account of the same to the county treasurer, who is hereby directed to receive such accounts, and lay the same before the justices of the peace at their general sessions in the respective county, who are hereby authorized to examine and adjust said accounts and certify the ballance due on each, that the same may be paid by the treasurer as soon as he is enabled by the recovery of the monies aforesaid, and no *certiorari* is brought as aforesaid.

CAP. XLII.

An ACT for assessing, collecting and levying COUNTY RATES.

I. *Be it enacted by the Governor, Council and Assembly,*

Justices in general or special sessions may agree on sums of money for building goals and court-houses & charge the same on the towns by warrants to assessors.

THAT the justices of the peace in the several counties in this province, where no goals or court-houses are already erected and finish'd in and for said counties, shall at their general or special sessions of the peace, have full power and authority to conclude and agree upon such sum or sums of money as upon examination of able and sufficient workmen shall be thought necessary for the building and finishing a public goal and a public court-house, in and for such counties respectively, and by warrant under their hands and seals, or under the hands and seals of the greater number of them, to be directed to the assessors of the several and respective towns by equal proportion to distribute and charge the sum or sums of money to be levied for the uses aforesaid upon the several towns or parishes in such counties respectively; and the assessors for the said towns or parishes respectively, shall apportion

Such sums to be apportioned by assessors.