

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1786. Saint John, NB: J. Ryan, 1786.

26 George III – Chapter 38

An Act to enable the Justices of the Peace, of the Several counties in this province for the time being, to receive, for public uses, Grants of Lands lying in their respective counties, and to regulate the Commons belonging to the Several townships or parishes within the same.

Whereas there are several tracts of land reserved in the different counties of this province for public uses, and whereas it is necessary that persons be empowered to receive grants as well of the said lands as of such other lands as may hereafter be so reserved or granted, that the intent for which they have been or shall be so reserved or granted, may be carried into execution.

I. Be it enacted by the Governor, Council and Assembly, That the justices of the peace in each county shall be and are hereby authorised and empowered, by the stile and title of the justices of the peace of the county of for the time being, to accept, receive and retain in trust for the public uses therein specified, any grant or grants of lands lying in the said county, and such trust to execute: and all grants so as aforesaid made, are hereby declared to be good and valid in law.

II. And be it further enacted, That the said justices, by the stile and title aforesaid, shall be able, and in law capable to bring and maintain any action of trespass or ejection of, or concerning any the lands so granted to them in trust as aforesaid. And to lease for a term of years any such lands so granted to them, or heretofore given to public uses, to the best advantage, except the use is expressly given in such grant to some particular person or persons or body corporate.

III. And be it also enacted, That the justices in their several general sessions of the peace, to be held for the several counties in this province, shall from time to time affix and settle such regulations as they may think most proper and convenient to be observed and followed by the inhabitants in the several townships within such county, in regard to the common belonging to the same, and such regulations so made, affixed and settled, shall be and are hereby declared to be the stated rules to be kept, observed and followed, by the inhabitants of each respective township; and that if any person shall transgress any such rules and regulations so to be settled and affixed, or shall neglect or refuse to obey the same, such person shall forfeit and pay a fine not exceeding forty shillings for every such offence, and in case such offender shall refuse or neglect to pay the fine, then it shall and may be lawful for any two of his Majesty's justices of the peace, to grant a warrant of distress for levying the same in the usual manner, one half to be to the person complaining, and the other half for the use of the poor of the township where the offence shall be committed, and in default of such distress, to commit such offender for any space not exceeding ten days.

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