

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 40

An Act to oblige Absent Proprietors to pay a proportion of any public charge, and to repair highways.

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

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.

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 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.