

but as soon as the Governor, &c. shall have provided Arms, &c. for such Persons, they are to be subject to the Regulations contained in this Act.

Manner of recovering Fines which are not otherwise directed

Application of Fines not otherwise disposed of.

Account; but that, as soon as the *Governor or Commander in Chief*, for the Time being, shall have provided the Fire Arms and Ammunition, the several enrolled Militia Men, also those who shall or may receive the same, shall thereupon be, and they are hereby declared to be, subject to the Regulations above mentioned with respect to their keeping their Arms, &c. in good order, and always fit for Service.

XXVIII. All Fines, Penalties, and Forfeitures, arising by operation of this Act, or in any breach thereof, (not otherwise directed, as to the recovery thereof, or thereby disposed of,) shall be applied to and for the Use of the respective Companies wherein the same doth or may arise (that is to say) for the procuring and repairing Drums, Colours, Banners, and for the paying of Drummers, or other Charges of the said Company; and the Overplus (if any) to be laid out in Arms and Ammunition for a Town Stock, and to be recoverable by Action, Bill, Plaint, or Information, in any of His Majesty's Courts of Record.

CAP. II.

Amended by 38 Geo. 3, c. 4.

AN ACT to enable PROPRIETORS to divide their LANDS held in common, and for ascertaining the Mode of carrying such Division into Execution.

Preamble.

WHEREAS many of the Proprietors of certain Half, Third, and Fourth Parts of Lots or Townships of Land, belonging to this Government, have never been in the Island, nor appointed Agents or Attorneys to manage their respective Affairs there; whereby the Settlement and Improvement of the Parts or Shares of such Proprietors as do reside and live in the Island, or in their occasional Absence, have committed the management of their Affairs to Attorneys or Agents, have been delayed and impeded, to the general Prejudice and Injury of the Island: for remedy whereof,

Any Proprietor, &c. residing on this Island and being desirous of having his Share of Lands held in common with any other Proprietor, &c. who has not been nor is resident thereon; then Proprietor, &c. present may apply to the Governor and Council, who are empowered to appoint an Agent for the absent Proprietor, and after having administered an Oath for the due discharge of his Duty

I. Be it enacted, by the Governor, Council, and Assembly, That when and so often as any of the Proprietors of such Land shall be desirous of having a Division or Partition of the same, in order that such Proprietors may know their own Lands with certainty, and thereby be enabled to proceed with Effect in the Settlement and Cultivation thereof, any of the said Proprietors, or their Attorneys, may apply to the Governor or Commander in Chief, for the Time being, and to His Majesty's Council, who are hereby empowered and required to appoint some fit Person to act as Agent or Attorney for the absent Proprietor or Proprietors, and, after administering to such Agent or Attorney an Oath for the faithful Discharge of the Trust reposed in him by the said Appointment, shall thereupon appoint