

able by Action, Bill, Plaint, or Information, in any of His Majesty's Courts of Record.

C A P. II.

Amended by 36th
Geo. 3d, 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, they are to direct the Surveyor General, &c. who with the

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 the *Surveyor General*, or some other well qualified Person, to make an exact Survey of