



# **BILL NO. 36**

*Local Bill*

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*1st Session, 63rd General Assembly  
Nova Scotia  
66 Elizabeth II, 2017*

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## **An Act Relating to Common Lands in the Town of Lunenburg**

CHAPTER 17  
ACTS OF 2017

**AS ASSENTED TO BY THE ADMINISTRATOR OF THE PROVINCE  
OCTOBER 26, 2017**

Suzanne Lohnes-Croft  
*Lunenburg*

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*Halifax, Nova Scotia  
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## **An Act Relating to Common Lands in the Town of Lunenburg**

WHEREAS Chapter 12 of the Acts passed in 1760 by the Legislature stated that the Governor had granted and set apart a tract of land lying in the peninsula of Lunenburg to serve as a common for the inhabitants of the Town of Lunenburg and required the Grand Jury to make regulations for the common at the March Sessions to be approved by the Justices of the Court of Sessions;

AND WHEREAS a Crown grant was made on February 7, 1785, conveying certain lands in the Township of Lunenburg, in the County of Lunenburg, to be held in trust as common lands;

AND WHEREAS the trust set forth in the later grant was subsequently amended and revised by legislation;

AND WHEREAS Chapter 72 of the Acts of 1897, *An Act relating to Common Lands in the County of Lunenburg*, incorrectly referred to the date of the 1785 Crown grant as February 17, 1785 rather than February 7, 1785;

AND WHEREAS the Town of Lunenburg considers it expedient in the interests of the inhabitants of the Town that the trust provisions binding the common lands situate within the bounds of the Town be removed and that the said common lands be vested absolutely in the Town;

THEREFORE be it enacted by the Governor and Assembly as follows:

- 1** This Act may be cited as the *Lunenburg Common Lands (2017) Act*.
- 2** In this Act, “common lands” means all those lands within the Town of Lunenburg granted for the purpose of a common or for common lands.
- 3**
  - (1)** The common lands not heretofore sold or divested are vested absolutely in the Town of Lunenburg, free from any trust, including, without limiting the generality of the foregoing, the trust set forth in the grants of the common lands as enlarged, amended or revised by any other legislation related to those lands.
  - (2)** All deeds, leases, conveyances and other instruments heretofore made by the Town of Lunenburg with respect to the transfer, sale, lease, conveyance or encumbering of any portion of the common lands or with respect to the creation of any interest in the common lands (including, without limiting the generality of the foregoing, an easement) are valid and effectual according to their tenor.
  - (3)** For greater certainty,
    - (a)** all rents, receipts or profits of any kind arising from the common lands are the property of the Town of Lunenburg and may be expended as it sees fit; and

(b) the reservation of all white pine trees contained in the Crown grant of common lands in the Township of Lunenburg dated the 7th day of February, 1785, is void.

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