

3. That this Act shall not authorize the Special Commissioners of Sewers appointed to construct and superintend the body of Marsh lying in the Parishes of Sackville and Westmorland, enclosed by the Etter Aboideau, to levy and collect any assessment heretofore made upon the proprietors of Sunken Island Marsh, for any benefit they may have received from any works constructed under the superintendence of such Commissioners.

CAP. XVIII.

An Act to extend the provisions of Chapte. 69, Title x, of the Revised Statutes, 'Of Sewers,' to certain Marsh Lands in Sackville.

Passed 8th June, 1865.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That Section 10, of Chapter 69, Title x, of the Revised Statutes, 'Of Sewers,' shall be construed to extend to that body of Marsh situate in Sackville, above the Aboideau, known and distinguished as 'Frosty Hollow body of Marsh;' provided always, that any Commissioner elected under this Act shall not form one of the Board of Commissioners for the Parish of Sackville.

CAP. XIX.

An Act to amend the Revised Statutes, Title xxxiv, Chapter 126, 'Of Landlord and Tenant, and Replevin.'

Section.

1. Persons dissatisfied with judgment of Justice, may appeal to Judge of Supreme Court.
2. Justice refusing to make a return to Judge, attachment may issue against him.

Section.

3. When Judge may order discharge of Justice.
4. Upon return of proceedings, Judge to examine and determine.
5. Judge to award costs of review.
6. Sec. 28, Cap. 126, repealed.

Passed 8th June, 1865.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Where any tenant or other person interested in the premises considers himself aggrieved by the judgment of the Justices under the provisions of the twenty seventh Section of the Revised Statutes, Title xxxiv, Chapter 126, a Judge of the Supreme Court, on the application of such tenant or other person, upon sufficient cause shewn by affidavit, may make an order to remove such proceedings before him, and

such order shall suspend the execution of the judgment of the Justices in the mean time.

2. Should the Justices neglect or refuse to return the proceedings to the Judge within twenty days after such order shall have been served upon them, the said Judge, upon affidavit of such service, and on the application of either party, may order that an attachment do issue out of the Supreme Court against the Justices for such neglect.

3. If such attachment shall be executed, the Judge may order the Justices to be discharged upon their making a complete return of the proceedings, and paying the costs of obtaining and executing such attachment.

4. Upon return of the proceedings the said Judge shall examine into and determine the matter agreeably to justice, and in case he shall affirm the decision of the Justices, shall issue his Warrant to the Sheriff of the County in which the premises are situate, to deliver the possession to the landlord, and to levy for the costs, as well of the proceedings before the Justices, as of the review, in the same manner as if the said Justices had issued their Warrant under the said twenty seventh Section.

5. The Judge may award costs of review, to be taxed and recoverable by attachment in the same manner as on review from a Justice's Court under the provisions of Chapter 137 of the Revised Statutes.

6. The twenty eighth Section of the said Chapter 126 is hereby repealed.

CAP. XX.

An Act for the preservation of Deer on the Island of Grand Manan.

Passed 8th June, 1865.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That for and during the period of three years from and after the day of the passing of this Act, it shall not be lawful to kill or destroy any Deer on the Island of Grand Manan, in the County of Charlotte; and if any person shall take away, kill or destroy any such Deer within such period, he shall be liable to a penalty not exceeding twenty dollars, to be recovered with costs under the provisions of the one hundred and thirty eighth Chapter,