



BY AUTHORITY.

ANNO TRICESIMO TERTIO VICTORIÆ REGINÆ.

CAP. XXVII.

An Act in addition to and in amendment of Chapter 16, Title iii, of the Revised Statutes, 'Of Sales by Auction.'

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| Sec. | Sec. |
| 1 Securities to be approved by Receiver General. | 3 Condition of Bond. |
| 2 Term "Proper Officer," defined. | 4 Part of Cap. 16, Title iii, repealed. |

Passed 7th April 1870.

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

1. That the sufficiency of the securities mentioned in the second section of the Chapter Sixteen, Title Three, of the Revised Statutes, 'Of Sales by Auction,' shall be subject to the approval of the Receiver General of this Province.

2. The proper officer mentioned in said Act shall mean and be held to be the Receiver General; and any Account in writing by said Act required to be rendered under oath, may be attested to before any Justice of the Peace of the County or City and County where the party attesting to the same may reside.

3. That the condition of any Bond hereafter taken under the said Act, shall be to render a true account on oath to the Receiver General of all goods liable to Auction Duty sold, and punctually pay such duties to the Receiver General, and that the form of the Bond in the Schedule to said Act shall be so altered as to meet the requirements of this Act.

4. So much of the said Act as is contrary to the provisions of this Act is hereby repealed.

CAP. XXVIII.

An Act to repeal an Act made and passed in the thirty second year of the Reign of Her present Majesty, intituled "An Act to authorize the sale of the real estate belonging to the Estates of deceased persons, in certain cases."

Passed 7th April 1870.

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

That an Act made and passed in the thirty second year of the Reign of Her present Majesty, intituled *An Act to authorize the sale of the real estate belonging to the Estates of deceased persons, in certain cases*, be and the same is hereby repealed.

CAP. XXIX.

An Act further relating to Fences, Trespasses, and Pounds.

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| Sec. | Sec. |
| 1 When cattle may be impounded. | 3 Part of Chapter 61, Title viii, repealed. |
| 2 What constitutes trespass. | |

Passed 7th April 1870.

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

1. From and after the passing of this Act, if any cattle shall break or escape into any close, through or over a lawful fence, it shall and may be lawful for the owner of such close to drive and deliver the said cattle to the Pound keeper of the District where the trespass was committed, and the said pound keeper shall impound the same in the Pound for such District, and shall receive from the owner of such cattle the same amount that he is authorized to receive when cattle

going at large are impounded, before the same are delivered from such Pound.

2. If any cattle break or escape into any close, through or over any part of a fence which may be of the height prescribed for lawful fences by any Act now or hereafter in force, such cattle shall be deemed and taken to have broken or escaped into the said close through and over a lawful fence, although other parts of the fence or fences surrounding such close may not be of the height prescribed as aforesaid, or although the said close may not be entirely surrounded by a fence.

3. Any thing contained in Chapter 61, Title viii, of the Revised Statutes, 'Of Fences, Trespasses, and Pounds,' inconsistent with this Act, be and the same is hereby repealed.

CAP. XXX.

An Act for the protection of all persons acting under any Act of the Legislature.

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| Sec. | Sec. |
| 1 & 2 Judges, &c. acting under authority of law, not subject to actions, &c. | 3 What constitutes a good defence. |

Passed 7th April 1870.

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

1. That the Judges of the County Court, and Justices of the Peace, Commissioners for holding examinations of insolvent confined debtors, Sheriffs, and all other officers of the law, judicial or ministerial, shall not be subject to any attachment, action or suit, fine or imprisonment, for or by reason of any act or thing by them or either of them done under and by virtue of an Act passed in the thirty first year of the Reign of Her present Majesty, intituled *An Act in amendment of Chapter 124, Title xxxiv, of the Revised Statutes, 'Of Insolvent Confined Debtors,'* or be compelled to obey any Injunction of the Supreme Court in Equity, or any Judge thereof, or any order of the Supreme Court, or any Judge thereof, for doing any act or thing authorized by the said Act.

2. All Sheriffs and others officers of the law acting under the authority and according to the requirements and directions of any Act passed or to be passed by the Legislature of this Province, shall not be subject to any attachment, action, or suit, fine or imprisonment, for or by reason of any act or thing by them done under and by virtue of any such Act.

3. That in any action, suit or proceeding either at law or in equity, for, or by reason, or in consequence of, any matter or thing done under and according to the provisions of the herein before in part recited Act, being an Act in amendment of Chapter 124, Title xxxiv, or under and according to the provisions of any other Act of the Legislature of this Province passed or to be passed, that the same was done under and according to the provisions of said Act or Acts, shall be a good defence to any such action, suit or proceeding, either at law or in equity, and the subject matter of such defence may be given in evidence under the general issue, or other plea or answer to such action, suit or proceeding, either at law or in equity, provided that notice of such matter of defence be given to the adverse party, his Attorney or agent, with such plea or answer.

CAP. XXXI.

An Act to extend the provisions of the first Section of an Act passed in the twenty first year of Her Majesty's Reign, intituled "An Act to disqualify persons holding certain offices under Government from being elected or capable to hold Seats in the Assembly," to persons holding certain other offices.