

primo Court may before that time make any rules and orders authorised by this Act, but not to go into operation before that day.

CAP. XXXVIII.

An Act to regulate the ungranted Ferries in this Province.

Passed 17th March 1835.

WHEREAS the establishment of Ferries in many parts of this Province will tend to facilitate travelling;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That from and after the passing of this Act, His Majesty's Justices of the Peace, in their General Sessions for each County, shall and they are hereby authorised and empowered to establish such Ferries over Rivers, Bays and Creeks within their respective Counties as may be by them thought necessary, in places where the same are not already established by grant from the Crown, and also to agree with and grant Licenses to such person or persons as they shall judge meet as Ferry-men, under such rules and regulations and subject to such penalties for neglect of duty as the said Justices in their respective General Sessions shall from time to time judge proper and necessary to make under and by virtue of an Act made and passed in the twenty-eighth year of the reign of His Majesty King George the Third, intituled "An Act to empower the Justices of the Sessions in the several Counties in this Province to make such regulations respecting Markets and Ferries within such Counties as may be found necessary:" Provided always, that this Act or any thing herein contained shall not extend or be construed to extend to restrain or in any wise to affect any right in His Majesty, his Heirs and Successors, to make any grant or grants of any Ferry or Ferries in places where the same shall be found necessary.

II. And be it further enacted, That all Ferries heretofore established by Justices of the Peace under and by virtue of any Act of Assembly now or heretofore in force for that purpose, shall during the continuance of this Act be deemed and taken to have been established, and shall be regulated by and under the provisions of this Act.

III. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

CAP. XXXIX.

An Act to amend the Law relating to a summary practice in the Supreme Court.

Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That in any summary action in the Supreme Court, wherein the Plaintiff may be entitled to judgment by default under the provisions of the second Section of an Act made and passed in the fourth year of the reign of his present Majesty, intituled "An Act to establish and regulate a summary practice in the Supreme Court," the Court or a Judge thereof may let in the defendant to appear and defend in like manner and upon such terms as in actions not summary, by the practice of the said Court, may be done after interlocutory judgment, any thing in the said second Section of the said Act to the contrary notwithstanding.

II. And be it enacted, That in such summary actions the Defendant may file a demurrer to the writ in lieu of the General Issue, and give a copy thereof to the Plaintiff's Attorney; which demurrer shall be in a brief and summary form, and notice in writing of the grounds thereof shall be given to the Plaintiff's Attorney at the same time with such copy; and upon such demurrer the Court shall give judgment according as the very right of the cause shall require, without regarding any imperfection, defect or want of form in the writ; and if Judgment be given for the Plaintiff the