

veyors in certain cases, and proceedings on such appeal.

*But See 16 V. c. 210, as to the Justices to whom application is to be made by the party deeming himself aggrieved.*

to outlets, water-courses and brooks, as well those concerning one Parish or Township, as those which concern several, shall deem himself aggrieved thereby, and shall be dissatisfied therewith, such party shall, within eight days (reckoning from the day on which the *procès-verbal* shall have been publicly read or posted as aforesaid, at the Church doors or other places of public worship, or public place) lay his complaint before a Justice of the Peace, neither interested therein nor related to any one so interested within the degree prohibited by law in such cases, that is to say, within the third degree, and the said Justice shall, before the expiration of the said term of eight days, summon the Surveyor or Surveyors to appear before him and the Justice of the Peace before whom the *procès-verbal* is to be presented for homologation, on the day and at the place fixed for the said homologation, and to have with them the *procès-verbal*, which, as well as the reasons in favor of or against it (if any there be) alleged by the parties or their witnesses, shall be maturely examined by the said Justices; and if it shall appear to them that the reasons alleged against the same are insufficient, and that the requisite formalities have been observed, and that there has been no partiality or injustice or negligence in the conduct of the Surveyors, then the said *procès-verbal* shall be ratified, and shall be executed according to the form and tenor thereof; and if on the contrary it shall appear to the said Justices; that there has been partiality or a want of exactness and diligence in examining the place, or that the work has not been equitably apportioned according to the custom of the country, then three *experts* shall be appointed, one by the plaintiff or plaintiffs, another by the defendant or defendants, and the third by the said Justices of the Peace, and if either of the parties shall refuse to name an *expert*, the said Justices shall name one instead of such party; and such *experts*; after being duly sworn before a Justice of the Peace (who is hereby authorized to administer the necessary oath) shall proceed to view the place concerning which the dispute shall have arisen, in the presence of the said Surveyors and of the parties interested (who shall be duly notified by the said *expert*, at least eight days before such second view shall take place, by notice given at the doors of the Churches in the Parish or Township wherein the lands of the parties interested are situated) and the decision of the majority of the said *experts*, whether it be to confirm or set aside the decision given by the Surveyors shall be final and conclusive to all intents and purposes whatsoever; and if the said *experts* shall set aside the decision given by the Surveyors, or if they shall deem it advisable to change the direction of the water-courses concerning which the dispute shall be, then the said *experts* shall make a fresh *procès-verbal* which shall be confirmed by the Justices of the Peace: Provided always, that in every case of such appeal to the decision of the *experts*, the Surveyors by whom the *procès-verbal* appealed from shall have been made, may cause the parties at whose requisition it was made, to intervene and

Proviso: parties may be made to intervene, &c.