

line of said Robertson's Wharf, extending from the said land lastly described outwards in a westerly direction, as may by them be deemed necessary for the purpose of enlarging the Public Landing, thereby filling up or covering the same, or any part thereof, with a Wharf or Bridge, or both.

3. The said Commissioners shall immediately after their appointment, cause a survey and plan of the said proposed landing place and other pieces and parcels of lands so to be appropriated and taken for the purposes aforesaid, and the several lots of land, wharves and streets in connection therewith, to be made and prepared, and for that purpose the said Commissioners, their surveyors or agents, shall have full power to enter into and upon the lands, tenements, wharves, houses, or other buildings or properties so to be appropriated and near to or in connection therewith.

4. The said Commissioners as soon as they shall have caused such survey and plan to be made, shall proceed to make a just and equitable estimate of the value of the lands, tenements and hereditaments required for enlarging and improving the landings aforesaid, and shall assess and apportion so much thereof on all the parties owning or interested in any lands, tenements and hereditaments lying or being on the landings, or in the discretion of the Commissioners directly benefited thereby according to their best discretion, in proportion to the benefit accruing to such parties respectively from the enlarging and improving of such landings, and shall thereupon file the new plan in the Office of the Clerk of the Peace of the City and County of Saint John, as and for a record of their doing in that respect, and shall forthwith report their proceedings, and whatever may be connected with their duties, to the Sessions of the Peace of the said City and County, to be filed with the said Clerk, and by him to be delivered to the Mayor or Recorder; and in the said report the said Commissioners shall set forth the names of the respective owners, lessees, parties and persons entitled unto or interested in such lands, tenements, hereditaments and premises mentioned in their said report, and each and every part and parcel thereof, as far as may be ascertained by them, and an apt and sufficient description of the respective lots, pieces, or parcels of land, or other premises that may be required for the purposes aforesaid, and also of the respective lots or parcels of land and other the premises near to or connected with the said streets, landings or improvements so assessed by the said Commissioners, for the benefit as aforesaid, and also the several sums estimated and assessed as and for the compensation and recompense or allowance to be made for the value of the land and other premises taken for the purposes aforesaid, as also the sums assessed on the same for the benefit and advantage of the respective owners of the fee or inheritance of such lands and premises respectively, or for the compensation or damage, and for the assessment for the benefit of the respective owners of the leasehold estate, or interest therein separately; but in all and each and every case where the owners and parties interested, or their respective estates or interests are unknown, or not fully known to the said Commissioners, it shall be sufficient for them to estimate and assess, and to set forth in their said report in general terms, the respective sums to be allowed and paid to or by the owners or proprietors generally of such lands and parties interested therein, for the compensation and damage and for the assessment for the benefit and advantage

to such owners, proprietors and parties interested, in respect of the whole estate and interest of whomsoever may be entitled unto or interested in the said lands and premises respectively, by and in consequence of the enlarging and improvements aforesaid, without specifying the name or the estates or interest of such owners, proprietors, and parties interested, or of any or either of them; and upon the coming in and filing of such report, the same shall be final and conclusive, as well upon the Justices in Session as aforesaid, as upon the owners, lessees, parties or persons interested in and entitled unto the lands and premises mentioned in the said report; and the said Justices shall become possessed of all the said lands and premises in the said report mentioned, that shall or may be so required for enlarging, or for the improvements aforesaid, by and in the name and style of "The Justices for the City and County of Saint John," to be appropriated, converted and used to and for such purposes accordingly, and for no other purpose whatsoever, by the said Justices in any General or Special Sessions, and by any committee or committees, officers or servants from time to time to be appointed by them, and thereupon the said Sessions, or any committee, officers or servants as aforesaid, may immediately, or at any time or times thereafter, take possession of the same, or any part or parts thereof, without any suit or proceedings at law for that purpose, and may at any time thereafter take down and remove all buildings, or parts of buildings, erections or improvements of any description whatever on the said lands and premises; but the said Commissioners shall not allow any sum or compensation whatsoever for any building or buildings which may, after the passing of this Act, be built, placed or erected in part, or in the whole, on such part or parts of the said lands and premises as may be required for the enlarging or improvement aforesaid.

5. The said Commissioners, after completing their said estimate and assessment, and at least fourteen days before they make their report to the said Sessions, shall deposit a true copy or transcript of such estimate and assessment in the Clerk's office aforesaid, for the inspection of whomever it may concern, and shall give notice by advertisement to be published in at least two of the public newspapers printed in the said City, of the said deposit thereof in the said office, and of the day on which it will be finally filed as and for a record of their proceedings; and any person whose rights may be affected thereby, who shall object to the same or any part thereof, may within ten days after the first publication of the said notice, state his objection to the same in writing to the said Commissioners; and the said Commissioners, or such of them as may have made such estimate and assessment, in case any objection shall be made to the same in writing to the said Commissioners as aforesaid, shall reconsider their said estimate and assessment, or the part thereof objected to, and in case the same shall appear to them to require correction, they shall correct the same accordingly; but should the said Commissioners adhere to their original opinion and notify the party objecting thereof, then it shall be lawful for the party interested objecting, to nominate by writing within five days after receiving such notice one arbitrator, and the Commissioners shall name another, which two arbitrators so nominated shall name a third, who shall arbitrate and determine the question; provided that their award or the award of any two of them be made in writing and filed in the Clerk's office aforesaid