

5. Counsel for the Proprietor, therefore, asked the Commissioners to state whether in determining the market value of the land, they felt themselves in any way bound by the sum mentioned (\$15,672.00), for the cost of the improvement. Counsel thereupon read the section, subsection 16 of the said Act 3, Edward VII., chapter 62, section 52, which is as follows:

"To improve the approaches to Wellington bridge on the north side, in accordance with the plan marked Y, and deposited in the office of the city surveyor, at an approximate cost of \$15,672.00.

The cost of such improvement shall be paid two-fifths by the proprietors of St. Ann's Ward, and the other three-fifths by the city, *the amount to be paid for the property to be the market value of the property in that vicinity.*

6. The undersigned there and then expressed the opinion that all they had to do, assuming they had jurisdiction, was to determine the market value of the property which the City was seeking to acquire, uninfluenced by the consideration that the