

4. The court or judges shall have, with respect to such appraisement and the proceedings relative thereto, and to the allowance of costs and taxation thereof to or against the parties, all necessary discretion and authority; and may, in the course of such proceedings, if they shall deem it necessary, examine witnesses, upon oath or otherwise, and may also, on good cause shown, set aside any such appraisement, and either direct the appraisers again to decide upon the value of such lands yearly or otherwise, or, if they shall deem it expedient, may nominate other appraisers, and make an order for their making a new appraisement of the same lots of land respectively; and the appraisers so nominated, shall be sworn, and the appraisement so by them or a majority of them made and returned in writing, when approved and confirmed by the court or judges, shall be final between the parties, and may be carried into effect accordingly.

Supreme court
to have juris-
diction.

Second ap-
praisement.

5. The award made on the second appraisement shall be conclusive.

Award.

6. Upon payment of the sum awarded and costs, for any lot of land referred to in any such petition, the company shall be the owners in fee simple, of such lot of land, with the appurtenances, if the valuation be for the purchase thereof, or otherwise the tenant thereof for such term as in their petition or the valuation, may be set out, as far as the ownership of such lot of land may have been correctly set forth in such petition; and thereupon, upon application of the company, the court or any two judges may, on proof made of such payment, by order, require the party in possession of or claiming title to any lot for which such payment has been made, to deliver up possession of the same to the company; and further, if need be, by any order, to empower the sheriff or his deputy to put the company by its officers or servants, into quiet possession of such lot of land; and likewise, by any order, to require any such persons so interested in any such lot of land, or in case of their absence from the province, then the person in charge thereof, to make, sign, seal, and execute all such conveyances as may be necessary for the purpose of conveying and assuring the same to the company, and in case any person shall not comply with such order, then, as the case may require, obedience to the same shall be enforced by the usual process, to compel the same to be issued by the court or judges.

Ownership in
lands.
Possession.

7. The company shall not go into operation until the sum of two thousand pounds shall be paid in on account of such company.

Operation.