

premises, and make surveys and measurements, and ascertain the boundaries of the land required for such wharfs, piers or docks; and the common council may thereupon, by resolution, set forth the metes and bounds of any such land proposed to be taken, and may, by resolution, take and appropriate for the public uses of the said city, in connection with Saint John Harbour North, the said land and premises so laid off by metes and bounds. 5

Plan to be filed, and copy served on owners of land.

2. The plan of the land and premises proposed to be so taken, shall be filed in the office of the registrar of deeds of the city and county of Saint John, and a copy of the said plan shall be served upon the owners of such lands and premises. 10

When land to vest in city.

16. A copy of such resolutions certified under the common seal of the said city, and a copy of any award certified by affidavit made as hereinafter provided, may be registered in the office of the registrar of deeds for the city and county of Saint John; and upon the same being registered, and the amount of such award being paid or tendered to the respective parties entitled thereto, the lands and premises described in such certificates shall vest absolutely in the said city free from every incumbrance, dower, lien or claim, and thereupon the said city may take possession of the same without any suit or proceeding, and may, at any time thereafter, remove all buildings, erections and improvements of every description on the lands and premises taken under the authority of this Act. 15 20 25

Contracts for purchase of land.

21. The city of Saint John may contract for the purchase of any land required for the purposes aforesaid; and any guardian, curator, committee, trustee, executor, or person, not only for and on behalf of himself, but also for and on behalf of those whom he represents, whether infants, lunatics, or persons otherwise incapable of contracting, or other persons seized, possessed of or interested in any such land may, with the approval of a judge of Supreme Court of the province of New Brunswick, upon petition, set forth the facts of the case, and the said judge shall thereupon make an order for the disposition of the proceeds of the said land, and such guardian, curator or other person above named may contract for the sale of, and may convey to the said city any of such lands and premises, and give receipts for the compensation paid therefor. 30 35

Proceedings where parties cannot agree.

22. If the owner of any such lands and premises cannot agree with the said city as to the amount of compensation to be paid therefor, the common council may offer to such owner a named sum of money for the lands and premises described in any resolution as aforesaid, and shown on the plan filed, and in case such owner shall not, within ten days from the date of such offer, accept the same, the said city may apply to the judge of the Supreme Court of the province of New Brunswick, by petition, setting forth all the facts, so far as the judge may deem it necessary that the same should be set forth, praying that the said judge may hear all the parties interested in the matter of the said petition, and by his order settle and determine the amount of compensation that is to be paid to the person entitled to receive such compensation for the said lands and premises so taken and appropriated by the said city 40 45 50