

No vote was taken as to whether this exception was well founded or not, but the Recorder ruled that there was jurisdiction and required the parties to proceed.

4. Counsel for the proprietor then called the attention of the Commissioners to the law under which the acquisition of this property was authorized, namely, 3 Edward VII., chapter 2, section 52, subsection 16, and pointed out that no part of the said Act contained any authorization to the Commissioners to determine the amount that should be paid for the property to the Proprietor, and that the provisions of the City Charter applicable to expropriations in the general interest, namely Articles 421 to 445, were not applicable to the present case (which was an excepted case)—the statute simply authorizing the City to make the improvements, the cost of which would be approximately, \$15,672.00 and to purchase the land at the market value of land in the vicinity.