

On Monday, 6th September, all these awards were filed with the Prothonotary as required by the Act, and copies thereof served on the proprietors on or before the 9th September.

The amounts awarded were as follows :—

William Cundall	-	-	-	-	\$9,200
Eliza M. Cundall	-	-	-	-	\$4,450
Charlotte A. Sullivan	-	-	-	-	\$81,500
Robt. B. Stewart	-	-	-	-	\$76,500
Sir Graham G. Montgomery	-	-	-	-	\$12,400
Hon. S. C. B. P. Fane	-	-	-	-	\$21,200
Lord Melville	-	-	-	-	\$34,000
James F. Montgomery	-	-	-	-	\$15,200
Col. Cumberland	-	-	-	-	\$31,900
M. S. M. Fanning	-	-	-	-	\$20,200

Making a total of - - - \$306,550

8°. At the October sittings of the Supreme Court James F. Montgomery, on his own affidavit, and that of R. G. Haliburton, arbitrator, obtained an order *nisi* to refer the award made in his case back to the Commissioners to correct an alleged mistake made by the Commissioners in making up their award. Cause was shown on behalf of the Government against this order at the Michaelmas term, but the order was made absolute by the Court, and the award referred back. As Mr. Childers the Chairman is in England, and in all probability will not return here, legislative action will probably be required to enable this case to be re-heard by the present Commissioners and brought to a final end.

9°. On the 29th day of October 1875 the Colonial Treasurer certified, pursuant to the Act, that the amount of each of the foregoing awards had been paid into the Treasury to the credit of the several estates, and between that day and the 3rd day of November, the Public Trustee notified Miss Sullivan, R. B. Stewart, Lord Melville, Sir Graham Graham Montgomery, S. C. B. P. Fane, William Cundall, and Eliza M. Cundall respectively, that within 14 days thereafter he would execute a conveyance of their estates to the Commissioner of Public Lands pursuant to the Act.

10°. In the cases of Col. Cumberland and Miss Fanning it was found impossible to get correct descriptions of their estates until after the rules to set the awards aside in Sullivan's and Stewart's cases had been obtained, and after that it was deemed advisable to await the decision of the courts in those cases before giving the notices in those of Cumberland's and Fanning's.

11°. On the 10th day of November 1875 an application was made by Robert B. Stewart to the Supreme Court, to set aside the award made with reference to his estate, and to restrain the Public Trustee from executing a deed thereof to the Commissioner of Public Lands pursuant to his notice. The Court granted a rule *nisi* to set aside the award returnable on the 1st day of December on the grounds following :—

1. That the award was not final.
2. That it was uncertain.
3. Because a delegated authority must be exercised under it to ascertain metes and bounds of lands to be conveyed by Public Trustee to Commissioner of Public Lands.
4. Because the money paid into the Treasury was in legal tender notes of the Dominion of Canada, which are not legal tender in this Island.

The Court at the same time granted an *interim* injunction restraining the Public Trustee from executing a conveyance.

12°. On the 17th day of November similar applications were made on behalf of Charlotte A. Sullivan and S. C. B. P. Fane, and rules *nisi* were obtained to set aside the awards in these cases on the same grounds as those expressed in the rule in Stewart's case.

13°. On 1st December the Court adjourned the argument to the 4th December, and on the 4th December cause was shown on behalf of the Government against the rules *nisi*. As the grounds were the same in each of the three applications of R. B. Stewart, S. C. B. P. Fane, and C. A. Sullivan (excepting one additional one in Fane's case, which his counsel withdrew before the argument), it was agreed to argue the cases as one at the