

creditors, mortgagees, and all persons entitled to any estate or interest in the said lands, or the rents arising or to arise therefrom, or the arrears thereof, may receive either the interest of the said purchase money when invested, as aforesaid, or the purchase money or shares thereof, as shall represent their estate or interest in said lands, or the rents arising therefrom, or the arrears thereof, previous to the vesting of the same in the Commissioner of Public Lands, as aforesaid.

chase money to meet the case of dower estates, &c.

XLII. In every case when such lands have been vested in trustees, the purchase money shall be paid to such trustees, to hold the same upon the same trusts as they held the lands; and when there are no trustees the Supreme Court shall have power to appoint trustees, and shall, by an order or rule of Court declare the trusts upon which they shall hold the said purchase money, and the manner in which the purchase money shall be invested.

Trustees to hold purchase money upon same trusts as they held the lands.

XLIII. The Supreme Court shall have power to dismiss any Trustee or Trustees so appointed by them, and appoint a Trustee or Trustees in the room or stead of the Trustees so dismissed.

When Supreme Court may appoint Trustees. Supreme Court may dismiss Trustees.

XLIV. The said Commissioners shall be paid by the Government of this Province for their services under and by virtue of this Act, ten dollars per day for each and every day such Commissioners shall actually be engaged in duties imposed upon them by this Act or by any reference in pursuance thereof, and such other reasonable remuneration as the Lieutenant Governor in Council shall consider them entitled to.

Remuneration of Commissioners.

XLV. The Public Trustee shall be allowed such remuneration for his services as the Lieutenant Governor in Council shall deem him entitled to under the circumstances of each case, which shall be paid by the Government of this Province.

Remuneration of Trustee.

XLVI. No award made by the said Commissioners, or any two of them, shall be held or deemed to be invalid or void for any reason, defect, or informality whatsoever, but the Supreme Court shall have power, on the application of either the Commissioner of Public Lands or the proprietor, to remit to the Commissioners any award which shall have been made by them to correct any error or informality or omission made in their award: Provided always that any such application to the Supreme Court to remit such award to the Commissioners shall be made within thirty days after the publication thereof as aforesaid; and provided further, that in case any such award is remitted back to the Commissioners, they shall have full power to revise and re-execute the same, and their powers shall not be held to have ceased by reason of their executing their first award, and in no case shall any appeal lie from any such award either to the Supreme Court, the Court of Chancery, or any other legal tribunal; nor shall any such award or the proceedings before such Commissioners be removed or taken into or inquired into by any Court by *Certiorari*, or any other process, but with the exception of the aforesaid power given to such Supreme Court to remit back the matter to such Commissioners, their award shall be binding, final and conclusive on all parties.

When Supreme Court may remit award to Commissioners.

When application to remit shall be made.

Commissioners have power to revise award.

No appeal.

No Certiorari or other process.

XLVII. The Supreme Court shall have power to make any rules and regulations not inconsistent with the provisions of this Act, for the purpose of more effectually carrying out the requirements of this Act, which rules shall be published in the *Royal Gazette* newspaper.

Supreme Court power to make rules.

XLVIII. Inasmuch as it is expedient that the matters referred to the Supreme Court under this Act, shall not interfere with the ordinary business of the said Court during term time, the said Court may, from time to time, appoint sessions for the purpose of hearing proceedings under this Act: provided always, that one week's notice of such session be given in the *Royal Gazette* newspaper.

Supreme Court may appoint special sessions.

XLIX. If the Commissioner of Public Lands shall neglect to proceed with any case pending before the Commissioners, or shall refuse to petition the Commissioners to appoint a time and place to hear the matters referred to them under the thirteenth section of this Act, when requested by any proprietor who shall have appointed a Commissioner so to do, or who shall delay or impede the proceedings in any way, such Commissioner of Public Lands shall, upon proof thereof, before the Supreme Court, be punished by fine or imprisonment.

Penalty on Commissioner of Public Lands for neglecting to proceed under the provisions of this Act.

XLIX. After the Commissioner of Public Lands shall have given notice to any proprietor, under the second section of this Act, no such proprietor to whom such notice shall have been given, shall maintain any action at law for the recovery of more than the current year and subsequent accruing rents due to him from any tenant or occupier upon his lands, and in case any such action is brought against any tenant by any such proprietor, such tenant may plead this Act in bar of such action, nor shall any execution issue on any judgment recovered or to be recovered for rent by any such proprietor

After Commissioner of Public Lands shall have given notice to Proprietor, he shall not collect more than current year and subsequent accruing rents.