

Award of Commissioners—
how to be published.

XXIX. When the award shall have been made by the Commissioners or any two of them, the same shall be published by delivering a copy thereof to the proprietor, or to his agent, duly authorised as aforesaid, and filing the original in the office of the Prothonotary of the Supreme Court.

Government to pay amount of award into Colonial Treasury.

XXX. At the expiration of sixty days from such publication of the award, the Government shall pay into the Colonial Treasury the sum so awarded by the said Commissioners, or any two of them, to the credit of the suit or proceeding in which such award shall have been made.

Notice to Prothonotary that award has been paid in.

XXXI. The Colonial Treasurer shall, immediately after such payment, deliver to the Prothonotary of the Supreme Court, a certificate of the amount paid into the Treasury, as aforesaid, which certificate shall be in the form of this Act, annexed, marked A.

Public Trustee to be appointed.

XXXII. It shall be the duty of the Lieutenant Governor in Council to nominate a fit and proper person to be called the "public trustee," who, when the sum so awarded to the proprietor as aforesaid shall have been paid into the Treasury as aforesaid, shall (unless restrained by the Supreme Court, or a Judge thereof), after fourteen days' notice to the proprietor or his agent authorised as aforesaid, execute a conveyance of the estate of such proprietor to the Commissioner of Public Lands, which said conveyance may be in the form to this Act annexed, marked B.

Conveyance from Public Trustee to vest lands in Commissioner of Public Lands to be held and disposed of under provisions of 16th Vict. cap. 18.

XXXIII. The conveyance mentioned in the last preceding section shall vest in the Commissioner of Public Lands an absolute and indefeasible estate of fee simple, free from all incumbrances of every description, and shall be held by and disposed of by him as if such lands had been purchased under the provisions of the Act passed in the sixteenth year of the reign of Her present Majesty, Queen Victoria, chapter eighteen, intituled "An Act for the purchase of lands on behalf of the Government of Prince Edward Island, and to regulate the sale and management thereof, and for other purposes therein mentioned," and shall also vest in the Commissioner of Public Lands all arrears of rent due upon the said lands.

Appointment of Public Trustee to be under great seal.

XXXIV. The appointment of the Public Trustee shall be under the great seal of this province, and shall be registered in the office of the Registrar of Deeds.

Party entitled to sum awarded—how to proceed to obtain the same.

XXXV. The party entitled to the sum awarded or any party or parties entitled to a portion of such sum for the lands so conveyed by the Public Trustee to the Commissioner of Public Lands, may receive the same by obtaining an order from the Supreme Court, upon presenting a petition, and upon proving his or their right to such sum, or any portion thereof: Provided that the Commissioner of Public Lands be made a party to such application.

Supreme Court to make proper persons parties to proceedings.

XXXVI. It shall be the duty of the Supreme Court upon any such application, to require that all proper persons shall be made parties to such proceedings, and to apportion such sums in such shares and proportions as such parties shall be entitled to receive.

Conveyance from Public Trustee to exonerate Government from all claims on the estate.

XXXVII. When the full sum for any lands shall have been paid into the Treasury, and the conveyance executed by the Public Trustee to the Commissioner of Public Lands, the Government shall be absolutely exonerated from all liability to any person or persons whomsoever who may claim any estate so conveyed as aforesaid, or any interest therein except as is mentioned in the next section.

Party obtaining amount of award to be paid his costs for application.

XXXVIII. The party obtaining an order from the Supreme Court for any money to which he shall be entitled for his estate so vested in the Commissioner of Public Lands, or any interest therein, shall be indemnified in his costs incurred in making such application: Provided always, that no party shall receive or be entitled to any costs who has made an unsuccessful application to the court for an order for the money so paid into the Treasury, as aforesaid, but such party shall pay to and reimburse the party who has received such order, such costs as he shall have been put to by reason of such unsuccessful application.

Proviso.

When lands taken from any Trustees purchase money—how to be invested.

XXXIX. When any estate shall be vested in the Commissioner of Public Lands under the provisions of this Act, which shall, previous thereto, have been vested in the name or names of any trustee or trustees, the Court shall order the purchase money of such estate to be invested in the name or names of such trustee or trustees upon trust to pay the interest arising from such investment, in the same manner and to the same parties as the rents, issues, and profits of the said land were payable previously to the sale thereof.

Supreme Court to make orders as to investment of pur-

XL. It shall be the duty of the said Court to make such order as to the investment and payment of the purchase money and the interest arising therefrom, as may meet the circumstances of each case, so that widows entitled to dower, infants, judgment