

valuation on the day appointed, the said Commissioners shall ascertain and determine, without any appeal, if, in reality, the signers of the said declaration constitute the majority in value of the said parties interested, (the said value as set forth and established in and by the general assessment roll immediately preceding such declaration,) and if they find that such majority are opposed to the improvement, they shall report the fact to the Court or Judge, as the case may be, on the day appointed to receive their report of valuation, and the proceedings in expropriation shall *ipso facto* be annulled; if, on the contrary, the said Commissioners determine that a majority in value of the parties interested have not signed the said declaration, they shall appoint a day on which to proceed to determine the value of the real estate subject to expropriation, of which they shall give notice by publication in one newspaper in the French language, and one newspaper in the English language published in the said city.

missioners in such case.

12. The twenty-second and twenty-fifth sections of the Act twenty-seventh and twenty-eighth Victoria, chapter sixty, are hereby repealed; and it is enacted that the said Commissioners, at the same time that they determine and fix upon the amount of the price, indemnity or compensation for each and every the pieces or parcels of ground required by the Corporation of the said City, for purposes of improvements, shall also proceed to assess and apportion, in such manner as to them may appear most reasonable, the price or compensation, indemnity or damage and cost of such expropriation or improvement, in whole or in part, conformably to the resolution of the said Council, upon all and every the pieces or parcels of land or real estate, which shall have been benefited or may hereafter be benefited by such improvement; and the said Commissioners shall have the exclusive power or privilege to determine what pieces or parcels of land or real estate shall have been or may be benefited, and to what relative or comparative amount; and the said Commissioners shall, for the purposes of the said improvement, base their valuation upon the actual value of the said pieces or parcels of land or real estate, irrespective of buildings thereon erected, taking into account the size of the said pieces or parcels of ground or real estate and the benefit to be derived from the said improvement; and two of the said Commissioners shall have full power to act for the purposes of the said special assessment, in case of a diversity of opinion, and their decision shall have the same force and effect as if the three Commissioners had concurred therein.

Commissioners to make out special assessment in cases of local improvement.

On what the assessment shall be based.

Two Commissioners may act.

13. The twenty-third section of the said Act twenty-seventh and twenty-eighth Victoria, chapter sixty, is hereby amended by striking out the words "along with a plan or map designating all and every the pieces or parcels of land or real estate subject to or liable for the said special assessment;" and by substituting the word "Commissioners" for the word "Assessors"

Sec. 23 of 27 & 28 V. Cap. 60, amended.