

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1862.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1862.

25 Victoria – Chapter 57

**An Act to explain an Act intituled *An Act to authorize and empower the Justices of the Peace in and for King's County to sell and convey certain School Lands in the Parish of Springfield, and invest the proceeds in other lands or other valuable securities more advantageous to the inhabitants of the said Parish.* Passed 23rd April 1862.**

Section.

1. Sale not to affect private rights.

Section.

2. Differences settled by arbitration.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That nothing contained in an Act made and passed in the twenty fourth year of the Reign of Her present Majesty, intituled *An Act to authorize and empower the Justices of the Peace in and for King's County to sell and convey certain School Lands in the Parish of Springfield, and reinvest the proceeds in other lands or other valuable securities more advantageous to the inhabitants of the said Parish*, shall affect or be construed to affect private rights; and no sale of the lands in the said Act mentioned shall be made until the true value of any improvements *bona fide* made on the same, shall have been first ascertained as hereinafter mentioned; and all sales and purchases of the said lands, or any portion of the same, shall be made subject to payment by the purchaser or purchasers of such true value, to the person or persons *bona fide* entitled thereto.

2. Should any difference of opinion arise between the Justices of the Peace aforesaid, and the party or parties claiming to be remunerated for improvements *bona fide* made on the said lands, or any part thereof as aforesaid, the same shall be settled as to amount, as follows—The said Justices of the Peace shall nominate and appoint one disinterested person, and the party or parties claiming remuneration shall nominate and appoint another disinterested person, and those two persons shall nominate and appoint a third disinterested person, and those three persons shall investigate the matter, and shall and may examine evidences on oath, if they see fit, and shall make up their award or finding in writing, and such award shall be final and conclusive, and the amount of the same shall be paid to the said Justices, in addition to the sum for which the said lands may be sold, under the authority of the hereinbefore recited Act, to be by them paid over to the party entitled to receive the same, or his legal representatives, any thing in the above recited Act contained to the contrary in any wise notwithstanding.