

day named in the said warrant, not less than five nor more than ten days after the issuing of the same, and if at the said time and place any of the persons summoned do not attend, the said Sheriff or Coroner shall immediately summon as many as may be necessary with the persons in attendance as jurors, to furnish a pannel of twelve Jurors, and from whom each party, or his her or their Agent or Attorney, or if either be not present in person or by Agent, the Sheriff or Coroner for him, her, them may strike off three Jurors, and the remaining six shall sit or as a Jury of inquest of damages; and before they act as such the Sheriff or Coroner shall administer to each of them an oath or affirmation that they will justly and impartially value the damages which the owner or owners will sustain by the use or occupation of the land, or the taking of the materials or other property required by the said Company; and the said Jury shall reduce their inquisition to writing and shall sign and seal the same; and two originals of such inquisition shall be made and executed on the same day, one of which shall be delivered to the said Company, and the other to the person claiming compensation; and the property taken and the boundaries of the land occupied by the said Company, shall be set forth in such inquisition; and if upon motion made in the Court of King's Bench, in the term following, the Court on hearing the parties shall find just cause for setting such inquisition or award aside, then an order may be made by the said Court for that purpose, and it shall be lawful for the person claiming compensation to proceed in the same manner as hereinbefore directed, for obtaining another valuation, and the inquisition or award that may be made thereupon shall be in like manner subject to the control of the Court of King's Bench, upon hearing of the parties. *Provided always*, that upon the money assessed as the valuation in any such inquisition being paid or legally tendered to the person entitled to the same, the property so taken and valued shall immediately thereupon vest in the said Corporation, as fully as if the same had been legally transferred by the owner thereof, for such term of time as the same may be required for the purposes authorised by this Act, and if the money when tendered should not be received, it shall nevertheless be incumbent on the said Corporation at any time thereafter to pay the same on demand, without costs; and that the Sheriff and Coroner, and the Jurors to be summoned under this Act, shall be entitled for the services rendered by them to be compensated in the same manner as is provided for similar services by the 20th clause of an Act of the Parliament of this Province, passed in the third year of His present Majesty's Reign, entitled "An Act granting to His Majesty a sum of money to be raised by debenture for the improvement of the navigation of the River St. Lawrence."

5. *And be it further enacted, by the authority aforesaid*, That whenever in the construction of said Rail Road, it shall be necessary to cross or intersect any established road, it shall be the duty of the said President and Directors so to construct the said Rail Road across such established road as not to impede the passage of persons or property along the same; or when it may be necessary to construct it through the lands of any individual, it shall be their duty to provide for such individual proper wagon ways across said Rail Road, from one part of his land to the other.

6. *And be it further enacted, by the authority aforesaid*, That if said Company shall neglect to provide proper wagon ways across said Rail Road, as required by the preceding clause of this Act, it shall be lawful for any individual to sue such Company and to recover such damages as a Jury may think him, her or them entitled to, for such neglect or refusal on the part of such Company.

7. *And be it further enacted, by the authority aforesaid*, That it shall be necessary for the said Rail Road Company, in the selection of the route or the construction of the said Rail Road to be by them laid out and constructed or any part of it, to connect the same with or to cross any Rail Road, Canal, Dam or Bridge made or erected by any Incorporated Company or authorised by any law of this Province; it shall be lawful for the said President and Directors, to contract with such other Corporation for the right to cross or use such other Road, Canal, Dam or Bridge, or for the transfer of such of the corporate or