

Mode of settling  
price of lands,  
&c., in case of  
not being able to  
settle it by  
mutual agreement.

Arbitration and  
award.

Commissioners  
to become  
proprietors on  
payment or  
deposit of price.

Provision if they  
apprehend charge  
on the property.

Power to levy  
moorage and  
wharfage rates on  
vessels and goods.

13. Whenever the said Commissioners cannot agree with the proprietor or proprietors, or some one or more of them as aforesaid, of any wharf or other real property required by them for the purposes of this Act, as to the amount of the price or annual or other rent to be paid for the same, such amount shall be determined as follows: the said Commissioners and the proprietor or proprietors shall each appoint a disinterested Arbitrator, and the two Arbitrators shall name a third, also disinterested, and the three Arbitrators, after being sworn by or before any Judge or Justice of the Peace to fulfil their duty honestly and impartially, and having given each other notice of the time and place of their meeting, shall determine such amount, and their decision or that of any two of them shall be final; And if such proprietor or proprietors, after being notified and thereunto required by the Commissioners, refuse or neglect to appoint an Arbitrator as aforesaid, or if the two Arbitrators appointed by the two parties interested or by the Commissioners and the Judge aforesaid, do not agree upon a third Arbitrator, then one of the Judges of the Superior Court for Lower Canada shall name an Arbitrator for the proprietor or proprietors, or a third Arbitrator, as the case may require; and in case of the death of an Arbitrator, or his refusal to act, the party who appointed him, or the Judge, (as the case may be,) may appoint another in his place.

14. When the amount of the price to be paid for any wharf or other immoveable property required as aforesaid, has been agreed upon or determined by arbitration as aforesaid, the said Commissioners may take the same and become proprietors thereof, by paying such price either to the proprietor or proprietors, or into the hands of the Prothonotary of the Superior Court at Quebec, for him or them; and the price agreed upon or determined to be paid for any wharf or other immoveable property taken by the said Commissioners, shall be in the place and stead of the land, and all claims to or upon the land shall be converted into claims to or upon such price; and if the Commissioners have reason to apprehend that any claims may exist to or upon the price, on the part of any third party, they may pay such price into the hands of the Prothonotary of the Superior Court at Quebec, filing at the same time a copy of the deed of purchase or of the award, and the Court, after having caused due notice to be given for the calling in of all claimants, shall make such order for the distribution of the price as well as of the interest thereof, and as to costs, as to law may appertain.

15. It shall be lawful for the said Commissioners to levy upon all vessels moored or fastened to, or lying at or in any of their piers, wharves or slips, and upon all goods landed or shipped, carried or deposited thereon, such moorage or wharfage rates and such other tolls, dues and duties, as they may, from time to time, fix and establish not exceeding those in the Schedules hereunto annexed, and the said rates and dues shall be levied as follows:

1.