

pectively do, by virtue of, or in pursuance of this Act; and that all such Contracts, Agreements, Sales, Conveyances and Assurances, or Notarial copies thereof, shall, at the expense of the said Commissioners be deposited in the Office of the Provincial Secretary, as aforesaid, and true copies thereof shall be allowed to be good evidence in all Courts whatsoever.

VII. *Provided always, and be it enacted*, That any Body, Politic, Community, Corporation, or other person whosoever, who cannot, in common course of Law, sell or alienate any Lands or grounds so set out and ascertained, shall agree upon a fixed annual rent as an equivalent, and not upon a principal sum to be paid for the Lands or grounds so set out and ascertained as necessary for making the said Telegraph and other purposes and conveniences relative thereto, and connected therewith; and in case the amount of rent shall not be fixed by voluntary agreement or compromise, or by arbitration, between the parties, it shall be fixed as hereinafter provided, and all proceedings and litigations in Courts, shall, in that case, be regulated as hereinafter prescribed; and for the payment of the said annual rent, and every other annual rent agreed upon or ascertained for the purchase of any Lands or grounds, the said Telegraph, and the Tolls and Emoluments to be levied and collected thereon, or arising therefrom, shall be, and are hereby made liable and chargeable in preference to all other claims or demands thereon whatsoever.

Lease of Lands—
amount of Rent,
&c.

VIII. *And be it enacted*, That it shall be lawful for the said Commissioners to apply to Her Majesty, and all the several owners of the Estates, Lands, and grounds through which such Telegraph is intended to be carried, and to agree with such owners respectively touching the compensation to be paid to them by the said Commissioners for the purchase thereof, or for the right, easement, or servitude required by the said Commissioners in or upon the same, and for their respective damages; and in case of disagreement between the said Commissioners and the said Owners, or any of them, then all questions which shall arise between the said Commissioners and the several Proprietors of, and persons interested in any Estate, Lands or grounds that shall or may be taken, affected, or prejudiced by the execution of any of the powers hereby granted, or any indemnification for damages which may or shall be at any time sustained by any Bodies, Politic or Corporate, or Communities, or any other persons respectively, being Owners of, or interested in any Estate, Lands or Grounds, for or by reason of the making, repairing, or maintaining the said Telegraph or other Works, incidental or relative thereto or connected therewith, shall and may be settled by agreement of the parties, or by arbitration; or if either of the parties shall not be inclined to make an agreement, or to appoint arbitrators, or by reason of absence shall be prevented from treating, or through disability by non-age, coverture, or other impediment, cannot treat or make such agreement, or enter into such arbitration, or shall not produce a clear Title to the premises which they claim an interest in, then, and in every such case, it shall be lawful for the said Commissioners to apply either in Term time, or vacation, to any one or more Justices of Her Majesty's Supreme Court in this Province, by Petition, stating the nature and situation of the Lands and Property, and the Estate or interest therein they desire to acquire, and the proceedings had with respect to the same, and the names and abode of the Owners; Proprietors, and Tenants thereof respectively, so far as they can be ascertained, and praying for the appointment of Appraisers to value the Property and Estate, and interest therein so required by said Commissioners, and praying also the transfer and conveyance, or renting thereof to the said Commissioners for and on behalf of the Queen, whereupon, the said Justice or Justices shall appoint a time and place for considering the said Petition with respect to each several Lot referred to therein, and shall direct notice to be given to all parties interested in each particular Lot petitioned for, who may have their abode in this Province, or in the case of the absence of any such parties, then to the person entrusted with the care, or management, and control

Compensation to
owners of Land by
agreement, arbitration,
application to Justices of Sup.
Court, &c. &c.