

son, nominated and appointed by the party or parties so disagreeing, shall elect a third, which three shall be the Arbitrators between the Company and party or parties so disagreeing, the award of the majority of whom shall be final.

IV. And be it enacted, That if any person or persons shall wilfully, maliciously, or to the prejudice of the said Company, break down, damage, or destroy any bank, lock, gate, sluice or any works, machine or device to be erected or made by virtue of this Act, or do any other wilful act, hurt or mischief, to disturb or prevent the carrying into execution, or completing, supporting, or maintaining the said Railway and Canal, or either of them, or works hereinbefore referred to, every such person or persons offending, shall forfeit and pay to the said Company the value of the damages proved by the oath of one or more credible witness or witnesses, such damages, together with the costs of suit in that behalf incurred, to be recovered by action in any Court of law in this Province having jurisdiction competent to the same, and in case of default of payment, such offender or offenders may be committed to the Common Gaol for any time not exceeding three months, at the discretion of the Court before which such offender shall be convicted.

Penalty on persons damaging, &c

V. And be it enacted, That if any person or persons shall in any manner obstruct the passage of any boat, vessel or raft passing on or through the said Canal, and shall not immediately, upon due notice given to such person or persons so obstructing the passage aforesaid, remove the same, shall forfeit and pay for every such offence the sum of five pounds, which forfeiture shall be paid to the said Company; and it shall and may be lawful for the agents or servants of the Company to cause any boat, vessel or raft to be unloaded or removed in such manner as shall be proper for preventing such obstruction in the navigation, and to detain and seize such boat, vessel or raft, and the loading thereof, until the charges occasioned by such obstruction, unloading or removal are paid.

And obstructing passage of boats, &c., thereon.

VI. And be it enacted, That it shall and may be lawful for the President and Directors of the said Company to regulate, from time to time, and establish the rates of toll payable by persons navigating upon the said Canal, and also the rates of toll for the transportation of goods, wares, merchandize and passengers in the said Railway, and the said Company shall, annually if required, exhibit an account to either branch of the Legislature of the tolls collected upon the said Railway and Canal, and of the sums expended in keeping the same in repair, and also of the goods, wares and merchandise, transported in and along the same.

Tells how to be regulated.