

pointed, and all parties concerned may have their lawful challenges against any of the said Jurymen, but shall not challenge the array ; and the said Court is hereby empowered to summon and call before them, all and every such person or persons as it shall be thought necessary to examine as witnesses touching the matters in question ; and the said Court may order and authorize the said Jury, or any six or more of them, to view the place or places, or matter in controversy ; which Jury, upon their oaths, (all which oaths, as well as the oaths to be taken by any person, or persons who shall be called upon to give evidence, the said Court is hereby empowered to administer) shall enquire of, assess, and ascertain the distinct sum or sums of money, or annual rent to be paid for the purchase of such lands or grounds, or the indemnification to be made for the damage that may or shall be sustained as aforesaid ; and the said Court shall give judgment for such sum, rent or indemnification, so to be assessed by such Juries ; which said verdict, and the judgment so thereupon pronounced, shall be binding and conclusive to all intents and purposes, against all bodies politic, or corporate, or communities, and all persons whomsoever.

Penalty on persons who shall wilfully and maliciously break or destroy any works belonging to the said Canal.

XXXVIII. And be it further enacted by the authority aforesaid, that if any person or persons shall wilfully, maliciously, and to the prejudice of the said Canals, break, throw 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, hinder, or prevent the carrying into execution, or completing, supporting, and maintaining the said Canal, every such person or persons so offending, shall forfeit and pay to the said Company of Proprietors, the value of the damage proved, by the oath of two or more creditable witnesses, to have been done ; such damages, together with 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 sum ; or 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.