

taken or
damage done,
if any party
agree to re-
ceive such
paid-up stock
in payment.

be paid to any party entitled thereto for loss or damage suffered or to be suffered by the taking of any lands or the execution of any works under this Act, if such party shall agree to take and receive the same in payment thereof, and such paid-up stock shall be free from all calls whatsoever on the part of the Company, or of the creditors thereof, to the same extent as if the amount of the same had been regularly called in by the Company and paid by the holder in full. 5

Annual rent,
when to be
fixed.

XXIII. Any body politic, community, corporation or other like party 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 canal, and other the purposes and conveniences relative thereto and connected therewith; and, in case the amount of such rent shall not be fixed by voluntary agreement or compromise, it shall be fixed in the manner hereinafter prescribed; and all proceedings 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, and to be paid by the said Company for the purchase of any lands, or for any part of the purchase money of any lands, which the vendor shall agree to leave in the hands of the said Company, the said canal and works and the tolls to be levied and collected thereon shall be and are hereby made liable and chargeable, in preference to all other claims or demands thereon whatsoever, the deed creating such charge and liability being duly registered. 10 15 20 25

Privilege for
such rent.

Agreement
with proprie-
tors,
par indivis.

XXIV. Whenever there shall be more than one party proprietor of any land or property, *par indivis*, any agreement made in good faith between the said Company and any party or parties proprietor, or being together proprietors of one-third or more of such land or property, as to the amount of compensation for the same or any damages thereto, shall be binding as between the remaining proprietor or proprietors, *par indivis*, and the Company; and the proprietor or proprietors who have so agreed may deliver possession of such land or property to the Company, or empower them to enter upon the same, as the case may be. 30

Company may
agree as to
compensation
for land or
damages.

XXV. So soon as the said map or plan and book of reference shall have been deposited as aforesaid, and notice of its being deposited shall have been given during at least one calendar month, in the English and French languages, in at least one newspaper published in the City of Montreal, it shall be lawful for the said Company to apply to the several owners of or parties hereby empowered to convey the lands through which such canal is intended to be carried, or which may suffer damage from the taking of materials, or from the exercise of any of the powers granted to the said Company by this Act, and to agree with such owners or parties respectively, touching the compensation to be paid to them by the said Company for the purchase thereof and for their respective damages, and to make such agreements and contracts with the said parties touching the said lands, or the compensation to be paid for the same, or for the damages, or as to the mode in which the said compensation shall be ascertained, as to such parties and the said Company shall seem expedient; and in case of disagreement between the said Company and the said owners or parties, or any of them, then all questions which shall arise between them and the said Company shall be settled as follows, that is to say: The deposit of the map or plan and book of reference, and the notice of such deposit, given as aforesaid, shall be deemed a general notice to all such parties as aforesaid, 35 40 45 50 55

How, if parties disagree.

Effect of deposit of map and book of reference.