

XXV. And be it enacted, That the Provincial Government may at any time after the commencement of the said Railway, assume the possession and property thereof, and of all the property which the said Company is empowered to hold and shall then have, and of all the rights and privileges and advantages vested in the said Company; all of which shall, after such assumption, be vested in Her Majesty, on the Government giving to the Company four months' notice of the intention to assume the same.

Province may
assume the
Railroad.

XXVI. And be it enacted, That in case of such assumption as aforesaid, the Government shall, within four months after the Company shall render an account in writing of the amount of money expended by the said Company, and all their then ascertained liabilities up to the time of such assumption, pay to the said Company the whole amount of the money so expended and of the liabilities so ascertained, together with interest at the rate of six per cent. and ten per cent additional thereon, after deducting the amount of any dividends before then declared, and the said Government shall also, from time to time, pay and discharge all liabilities of the Company not ascertained at the time for such assumption, as the same shall be established against the said Company; Provided always, that in case of a difference between the Government and the Company as to the amount so to be paid by the Government, such difference shall be referred to two Arbitrators, one to be named by the Government, the other by the Company; and, in case of disagreement, such difference shall be referred to an Umpire, to be chosen by such Arbitrators before entering into the consideration of the said difference, and that the said award so made by the Arbitrators or the Umpire shall be final; And provided also that in case of refusal by the Company to appoint an Arbitrator on their behalf, the same shall be appointed by any two of the Judges of either of the Superior Courts of Common Law on application of the Government, in Upper Canada, and by any two Judges of the Superior Court in Lower Canada.

Conditions of
assumption by
the Province.

Proviso.

Proviso.

XXVII. And be it enacted, That it may and shall be lawful for the said Company to cross, intersect, join, and unite the Railway with any other Railway, at any point on its route, and upon the lands of such other Railway with the necessary conveniences for the purpose of such connection, and the owners of both Railways may unite in forming such intersection and in granting the facilities therefor; and in case of disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossings and connection, the same shall be determined by Arbitrators to be appointed by two Judges of the Superior Court in Lower Canada, or by two Judges of the Superior Courts of Common Law in Upper Canada.

Company
may intersect
other Rail-
ways.

Forma.