

evidence of such agreement, deed, lease or proceedings, or of the part thereof set forth in such extract.

Proceedings
in cases of cer-
tain real or
hypothecary
actions against
the Company.

XXX. At the end of two years from the time when the Grand Trunk Railway of Canada as defined in the Act first above cited, or any Railway or work now forming or hereafter to form part of the Grand Trunk Railway of Canada, as defined in the Act authorizing the construction thereof, or any Branch Railway the construction of which is hereby authorized, respectively, is completed and opened for Public use, every right and claim of any other party whomsoever (whether married women, minors, absentees, persons interdicted or otherwise incapacitated in ordinary cases from acting for themselves,) to or upon any land taken by any Company for such Railway, work or Branch Railway so completed, and touching which no suit or proceeding shall then be pending, shall be absolutely prescribed, and the mere lapse of the said period, shall be an absolute bar to any action for the recovery or enforcement of such right or claim, forever: and if at any time before the expiration of such period any hypothecary, petitory, or possessory action, or any action of ejectment, or any action or suit founded upon mortgage, lien, or dower upon any such lands as aforesaid then in possession of the said Grand Trunk Railway Company of Canada, shall be brought, the payment into Court by the said Company, of the sum which they or the Company first empowered to construct such Railway or work, may have actually paid, or which may have been agreed or awarded to be paid by them for such lands, shall operate an immediate stay of all proceedings in such suit or action as against the said Grand Trunk Railway Company of Canada, if they think proper to declare their intention not to defend the same, and the Court shall thereafter make such order with respect to the distribution of such sum so paid into Court, as to law and right may appertain, and may order such proof as the Court may think proper of to the right of the party bringing such suit or action, to the said sum, which shall be held to represent the land in question as regards the claim so made to or upon the same, and the Company shall pay no costs incurred after such payment into Court: and if the Court shall adjudge that the party bringing such suit or action, is not entitled to the said sum or is only entitled to part thereof, the said sum, or the part thereof to which such party is not entitled, shall be paid out of Court to the Company: and in no case shall the said Company be adjudged to give up possession of any such lands of which they have once lawfully obtained possession, but the sum lawfully paid, agreed upon, or awarded to be paid by them for the same, shall represent the lands, and the claims to or upon them, shall be by such possession converted into a claim to or upon the sum aforesaid: Provided always, that nothing in this section shall be construed to take away or weaken any defence which the Company may have to such suit or action under any other Act or Law, or to impair the effect of any proceeding which they may have taken under any such Act or Law, to bar any or all claims to or upon such lands.

Proceedings
with regard to
any lands
hereafter to be
taken by the
Company, or
taken and the
compensation
not settled, to
be under the
Railway
Clauses Act.

XXXI. In every case where lands are hereafter to be taken by the said Company, or where lands have been taken but the compensation therefor is not ascertained, for any Railway or work, with the Act authorizing the construction whereof, the eleventh section of the Railway Clauses Consolidation Act, intituled, "*Lands and their Valuation*," is not incorporated, the said eleventh section shall nevertheless apply, and shall be deemed to be, and is hereby incorporated with the Act authorizing the construction of such Railway or work, and shall apply to the taking of such lands and to all matters and proceedings, rights and claims thereunto relating, and the provisions in such Act or any Act amending it relating to the taking of lands and the matters aforesaid, are hereby repealed, as regards all lands hereafter to be