

to contract, compound, compromise, and agree with the owners and occupiers of any land through or upon which they may determine to cut and construct the said intended Canal, with all necessary and convenient locks, towing paths, railways, and other erections and constructions contemplated by this Act, to be cut, erected, constructed and built, either for the absolute purchase of so much of the land as they shall require for the purposes of the said Company, or for the damages which he, she, or they may be entitled to recover in consequence of the said intended Canal, and other constructions, or buildings upon his, her or their respective lands; and in case of any disagreement between the Company and the owner or owners, occupier or occupiers of such land as aforesaid, either upon the value of the lands and tenements proposed to be purchased, or upon the amount of damages to be paid, as aforesaid, it shall and may be lawful for the Directors of the said Company to nominate and appoint an indifferent person, who, together with one other person, 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.

owners of lands, &c.

Arbitration in case of disagreement.

IV. And be it enacted, That if any part of the said Canal should pass through any tract of land in the possession of any band of Indians, or if any act occasioning damage to their property or possessions shall be done under the authority of this Act, compensation shall be made to them therefor, in the same manner as is provided with respect to the property, possessions or rights of other individuals; and that in any arbitration required for settling the amount of such compensation, the Chief Officer of the Indian Department within this Province, is hereby authorised and required to name an Arbitrator on the behalf of the said Indians; and the amount which shall be awarded in any such case shall be paid to the said Indians as the said Chief officer shall declare.

Provision when Canal passes through Indian lands.

V. 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 Canal 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

Penalty on persons damaging Canal, &c.