

spoiled by means of and for the uses and purposes of the said Corporation; to be agreed upon by the said Corporation and the respective owners and occupiers of such lands, tenements, and hereditaments; and in case of disagreement between the said Corporation and the said owners or occupiers or any of them, then such compensation and satisfaction shall be determined by three arbitrators, one to be chosen by the said Corporation and one by the owner or owners, occupier or occupiers of the private property in question; which two arbitrators so chosen shall choose the third arbitrator, and in case of their not agreeing in such choice within ten days after their appointment, then and in such case it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, upon application of the said Corporation, to appoint the third arbitrator; the award of the said arbitrators or any two of them shall be final and conclusive in the matters referred to them; and in case any of the said owners or occupiers of such private property shall decline making any such agreement or appointing such arbitrator then and in every such case, the said Corporation shall make application to the Supreme Court of this Province stating the grounds of such application, and such Court is hereby empowered and required from time to time upon such application to issue a Writ or Warrant directed to the Sheriff of the City and County of Saint John, or in case of his being a party interested, then to the Coroner of the said City and County, and in case of the said Sheriff and the said Coroner being both interested, then to some person or persons who may be disinterested, commanding such Sheriff, Coroner, Person or Persons as the case may be, to summon and empanel a Jury of twelve Freeholders within the said City and County, who may be altogether disinterested, 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 in the matter, the Sheriff, Coroner, or person or persons summoning such Jury is hereby empowered to administer) shall inquire, ascertain and assess the distinct sum or sums of money or annual rent to be paid as the amount of compensation and satisfaction for the damage that may and shall be sustained by such owner or owners, occupier or occupiers of such private property as aforesaid, and the inquisition, award or verdict of such Jury shall be returned and filed in the Office of the Clerk of the Pleas in the said Supreme Court and shall be final and conclusive between the parties; which amount so assessed as aforesaid and the costs and expenses of such proceeding to be taxed and allowed by the said Supreme Court, shall be borne by the said Corporation, and shall be by them paid within thirty days after the said inquisition, award or verdict shall be filed as aforesaid.

XXV. And be it enacted, That if any person or persons shall wilfully and maliciously and to the prejudice of the said undertaking break, damage, throw down, or destroy any of the works to be erected or made by virtue of this Act, any such person shall be judged guilty of Felony and every such person so offending and being thereof lawfully convicted, shall be liable to the punishment prescribed for felony in an Act made and passed in the first year of the reign of His present Majesty, intitled "An Act for improving the administration of Justice in Criminal Cases."

XXVI. And be it enacted, That any joint Committee hereafter to be appointed by the Honorable the Legislative Council and the House of Assembly for the purpose of examining into the proceedings of the said Corporation shall, either during the Session or prorogation of the General Assembly, have free access to all the books and accounts of the same.

XXVII. And be it enacted, That any number of Stockholders, not less than forty, who together shall be proprietors of Two hundred and fifty shares, shall have power at any time by themselves or their proxies to call a general meeting of the Stockholders for purposes relating to the business of the said Corporation, giving at least thirty days notice in two of the Newspapers published in this Province, and specifying in each notice the