

Board, or their Secretary, at the office of the said Board, of such appointment, and require them to name a second appraiser or *expert*, and notify the same to him, which it shall be the duty of the said Board to do, and in the

5 event of neglect or refusal, after three days notice in writing, the said party so dissatisfied, or in case the said Board shall have named an *expert* who shall refuse to act within three days after his appointment shall have been notified to him, any one of the Judges of Her Majesty's

10 Superior Court, residing at the City of Quebec, shall, upon the summary petition of the party dissatisfied, and proof, upon the oath of one credible witness, of the refusal or neglect aforesaid, and of the service of the petition upon the President of the said Board, forthwith ap-

15 point an appraiser or *expert* to act on the behalf of the said Board or Corporation; and the appraisers or *experts* appointed as aforesaid, shall estimate the value or compensation to be paid by the said Corporation, and shall report the same to them in writing; and in case of disagreement

20 between the appraisers and *experts*, they, the said appraisers and *experts*, shall appoint an umpire, or if they cannot agree upon the appointment of an umpire one of the Judges aforesaid shall without loss of time, on the summary petition of the said appraisers or *experts*, or of the

25 said party dissatisfied, appoint an umpire, and the report of any two of the said appraisers or *experts* and umpire, shall have equal effect as if the same had been, or were made by the two appraisers or *experts*, concurrently, and upon the amount of such estimated and reported value or

30 compensation being so established, the same shall, after due payment, be a good and valid discharge to the said Corporation: Provided always, that if either party be dissatisfied with the said report, an appeal may be made as in the foregoing section of this Act is provided, to the

35 said Court of Quarter Sessions, at its first sitting after the making and publishing of the said Report, when a Jury shall be empanelled as aforesaid, and in case the Report shall be confirmed by the verdict of the Jury, the appellant shall recover costs, and in case of the same being set

40 aside or altered thereby, the respondent shall recover costs, and the costs of the reference to *experts* shall be likewise borne by the unsuccessful party, when the award shall have been in accordance with the report. Provided always, that the costs may be awarded either by the Jury

45 in cases of appeals, or by the referees, *experts* or appraisers in cases of reference.

Referees to report in writing.

Proviso : Appeal given.

As to costs.

XII. And as in certain cases it may be doubtful to whom the compensation ascertained by the award of referees, *experts* or appraisers, should be paid, and to whom

50 the said Board should make their proposal or offer for land, the right of way or servitude, or for damage done in the exercise of the powers vested in them by this Act, Be it enacted, That it shall be lawful for the said Board

Provision where it shall be doubtful who ought to receive the compensation.