

indemnified for what he, she or they or any of them shall respectively do by virtue or in pursuance of this Act : and that all such contracts, agreements, sales, conveyances and assurances, or notarial copies thereof, shall, at the expense of the said Company of Proprietors and their successors, be deposited in the office of the Prothonotary of the Court of King's Bench for the District of Montreal, and true copies thereof shall be allowed to be good evidence in all Courts whatsoever.

XI. Provided always, and be it further enacted by the authority aforesaid, That any body politic, community, corporation, or other person or persons whomsoever, who cannot in common course of law sell or alienate any lands or grounds so set out and ascertained, shall agree upon a fixed annual rent as an equivalent, and not as a principal sum, to be paid for the lands or grounds so set out and ascertained as necessary for making the said Rail-road, and other the purposes and conveniences relative thereto and connected therewith ; and in case the amount of such rent shall not be fixed by voluntary agreement or compromise, or by arbitration between the parties, it shall be fixed by a Jury * convened and qualified in the manner hereinafter prescribed, and all proceedings and litigations in Court shall in that case be regulated as is hereinafter prescribed ; and for the payment of the said annual rent and every other annual rent agreed upon or ascertained for the purchase of any lands or grounds, the said Rail-road and the tolls to be levied and collected thereon shall be, and are hereby made liable and chargeable, in preference to all other claims or demands thereon whatsoever.

Where no power is vested in any body corporate to sell,—a fixed annual rent to be established.

*By 13 & 14 Vict. c. 114, a system of arbitration is adopted as to the Branches authorised by that Act and 14 & 15 Vict. c. 114 :—see pages 45, &c.

XII. And be it further enacted by the authority aforesaid, that as soon as the said map or plan and book of reference shall have been made and deposited as aforesaid, it shall then be lawful for the said Company of Proprietors to apply to the several owners of the estates, lands and grounds through which such Rail-road is intended to be carried, and to agree with such owners respectively, touching the compensation to be paid to them by the said Company of Proprietors for the purchase thereof, and for their respective damages ; and in case of disagreement between the said Company and the said owners, or any of them, then all questions which shall arise between the said Company and the several proprietors of, and persons interested in any estates, lands or grounds that shall or may be taken, affected or prejudiced by the execution of any of the powers hereby granted, or any indemnification for damages which may or shall be at any time or times sustained by any bodies politic or corporate, or communities, or any other person or persons respectively, being owners of or interested in any estates, lands or grounds for or by reason of the making, repairing or maintaining the said Rail-road or other works or machines, incidental or relative thereto, or connected therewith, shall and may be settled by agreement of the

When the Company have made their map and plan and the same have been deposited according to this Act, they shall apply to the owners of the lands through which the Rail-road is to be carried, touching the compensation to be paid for the same.