

any alteration or deviation from the line originally laid out for the canal should be ascertained and set out as necessary for canal purposes should be vested in His Majesty, his heirs and successors.

7. The said act then provides that if before the completion of the canal through the lands of any person or persons no voluntary agreement should have been made as to the amount of compensation to be paid for damages according to this Act, an arbitration therefor was to be had, and in case of dissatisfaction by either party with the award, then the said amount was to be settled by a jury: the act giving directions for the formation and operation of the jury, and for making their estimate, and for other proceedings connected therewith.

8. Lieutenant-Colonel John By, of the Royal Engineers, was the officer employed by His Majesty to superintend the work of making the said Rideau Canal, and he set out and ascertained certain part of the said parcels or tracts of land comprised in the said two several hereinbefore stated Letters Patent and Deeds of Grant respectively, as aforesaid, amounting altogether to 110 acres or thereabouts, as necessary for making and completing the said canal and other purposes and conveniences mentioned in the before stated Act, and were forthwith taken possession of by His then Majesty for the said canal purposes, and since retained in possession by His said Majesty, His heirs and Successors; and the land which he so set out and ascertained, as aforesaid, was described on a certain plan signed by him and lodged by him in the office of the Surveyor-General of the said late Province of Upper Canada, and now filed in the office of Her Majesty's Crown Land Department for the Province of Ontario.

9. Sometime after the passing of the said Act, the said Grace McQueen died intestate, being at the time of her death possessed of the said parcels or tracts of land comprised in the said two several hereinbefore stated Deeds of Grant respectively, or of so much thereof as had not been set out and ascertained for the purposes of the said canal as before mentioned; and she left Alexander McQueen, of Edwardsburg, in the District of Johnstown and Province of Upper Canada aforesaid, Esquire, her husband, and William McQueen, of the same place, Esquire, her eldest son and heir at law, respectively, her surviving. And on the 31st day of January, 1832, the said Alexander McQueen, by a certain deed poll in writing of that date, under his hand and seal, and which was afterwards duly registered in the proper register office of the said Province, for the consideration therein mentioned released unto the said William McQueen all his right and interest to and in the said parcels or tracts of land, to hold the same unto and to the sole and proper use and behoof of the said William McQueen, his heirs and assigns forever.