

Board may sue  
and be sued,  
&c.

IX. And be it enacted, That the said Board may, for all the purposes of the said Act and of this Act, sue and be sued, and answer and be answered unto, in all Courts of Justice and other places, as any Corporation, under the name of "*The Quebec Water Works,*" and any judgment or judgments in any suit or suits to which the said Board may be a party, may be carried into execution either for or against the said Corporation, of the City as the case may be, as if judgment had been rendered against or in favor of the said Corporation, and service of process may be made either on the President or Secretary of the said Board. 5

Compensation  
how deter-  
mined if the  
Board and any  
party cannot  
agree.

X. And be it enacted. That if any person interested in lands or other property which the said Board may require or over which a right of way or servitude may be required for the said works, or in lands in relation to which the said Board shall order any thing to be done in their opinion necessary to give effect to the provisions of the said Statute and of this Act, shall not accept a proposal in writing made by them, for compensation for his land or for damages to be occasioned by the act of the said Board, the said Board may agree with such person to refer the same to one or more disinterested persons, the award of whom, or the majority of whom, shall be binding and final in all matters under *twenty-five* pounds, and in all matters when the award shall exceed *twenty-five* pounds, the award shall be likewise binding and final unless appealed from, by one or both of the parties, by petition to the Court of Quarter Sessions for the District of Quebec, at its first sitting after the making and publishing of the award, where a jury shall be empanelled to decide the amount payable by the said Corporation, as and for compensation for land or damages, as the case may be, and if the verdict of the jury shall declare the sum awarded to be sufficient, the appellant shall pay the costs of the appeal, and if, on the contrary, the sum awarded shall be declared insufficient, the costs shall be payable by the respondent: Provided always, that it shall be lawful for the said Board to take possession of the said lands, or exercise the right of way or servitude, or perform the work required so soon as the proposal aforesaid shall be made and the money therein mentioned tendered or paid into Court as hereinafter provided. 15 20 25 30 35 40

Appeal given.

Proviso.

Provision  
where the  
Board and any  
party cannot  
agree upon  
referees.

XI. And be it enacted, That if the said parties cannot agree upon referees or *experts* for the purpose aforesaid, after the proposal or offer of the said Board shall be made, (after which, and tender of the money or payment into Court as aforesaid, the said Board may enter into possession of the lands required, servitude or right of way aforesaid or order the thing required to be done as aforesaid) the party dissatisfied with such proposal or offer, may appoint an appraiser or *expert* and notify the President of the said 45 50