

Damages and costs
of suit for malicious
injuries and ob-
structions.

V. And be it enacted, That if any person or persons shall wilfully or maliciously destroy, injure, impair or obstruct any of the rights, privileges or property of the said Corporation, such person or persons shall forfeit and pay to the said Company treble damages, with costs of suit, to be sued for and recovered by action of Trespass, in any Court of competent jurisdiction; and if any person or persons shall, by boat, raft, lumber, or otherwise, wilfully or unnecessarily delay or obstruct the approaching, entering, passing or re-passing of any lock, waste-way, inclined plane, sluice, or other avenue or passage-way, or do any other act or thing whereby the operations of the said Company, or the transportation, floating or passage of any lumber, merchandise, or other thing, in the said River or Canal, shall be hindered, obstructed or delayed, he, she or they shall, for every such offence, forfeit and pay double damages, with costs of suit, to be recovered in an action on the case, in any Court having competent jurisdiction.

Call and notice of
the first meeting of
the Corporation.

VI. And be it enacted, That the first meeting of the said Corporation shall and may be called by notice signed by any four or more of the Members thereof, to be posted in three conspicuous places in the Parish of Saint Stephen, in the County of Charlotte, at least twenty days before the day of such meeting, and by publishing the same at least three weeks in some public newspaper published in the said County.

Waters not to be
diverted to the
injury of any Mills.

VII. And be it enacted, That the said Company shall have no right to retain, divert or keep back the waters of the said River, or any of the Lakes thereon, to the detriment or injury of any Mills or Machinery now erected or which may be hereafter erected thereon.

Right of public to
use the improve-
ments on payment
of tolls.

VIII. And be it enacted, That all and every person or persons shall have the right, under the direction and control of the said Company or its Agents, to use the said works and improvements for the purposes for which they were erected and intended, at all proper and suitable times, according to the regulations of the said Company, by paying therefor the usual and legal toll or compensation.

Compensation to
be made for all
lands, &c. taken or
damaged by the
Company.

IX. And be it enacted, That the said Company shall make, allow and pay reasonable and proper compensation and satisfaction for all lands, tenements and hereditaments, taken, used, occupied, altered or damaged by means of and for the uses and purposes of the said Company, to be agreed upon by the said Company and the respective owners and occupiers of such lands, tenements and hereditaments; and in case of disagreement between the said Company and the said owners and occupiers, or any of them, then such compensation and satisfaction shall be determined by three arbitrators, one to be chosen by said Company, and one to be chosen 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 Administrator of the Government for the time being, upon application of the said Company, to appoint a third arbitrator, the award of whom or any two of whom shall be final and conclusive in the matters referred to them; and in case any of the owners or occupiers of such property shall decline making any such agreement, or appointing such arbitrators, then and in every such case the said Company shall make application to the Supreme Court of this Province, stating the ground 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 County where such property may lie or be, or in case of the Sheriff being a party interested, to the Coroner of such County, and in case of the Sheriff and Coroner being both interested, then to one or more disinterested persons, as Elizors, commanding such Sheriff, Coroner, person or persons as the case may be, to summon and empanel a Jury of twelve freeholders within such County, who are altogether disinterested in the matters in difference, 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 enquire, ascertain and assess the sum or sums of money, or annual rent to be paid as the amount of compensation and satisfaction, for the damage that may or shall be sustained by such owner or owners, occupier or occupiers of such 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 of the said Supreme Court, and shall be final and conclusive between the parties; which amount so assessed as aforesaid, with costs and expenses of such proceedings

In case of disagree-
ment as to compen-
sation, amount to
be settled by Arbi-
trators, or a Jury
empanelled under
the authority of
the Supreme
Court.