

BILL.

An Act for referring disputes occasioned by the overflowing of Land by Mill-dams to arbitration.

BE it enacted, &c., as follows :—

- 1st. That all disputes respecting the overflowing of un- How disputes touching damages by overflowing of lands by Mill-dams, shall be settled.
cultivated Lands, not exceeding acres, by
5 the erection of Mill-dams, shall be left to Arbitrators at the instance of either party.
- 2nd. Either party may give notice in writing to the other to name an Arbitrator, and either party neglecting to name an Arbitrator on his behalf for the space of one Appointment of Arbitrators.
10 month, shall be bound by the award to be made by the one first named.
- 3rd. If each party names an Arbitrator, these two shall Umpire.
within days after being notified of their nomination,
15 within days after such nomination, appoint a time and place for holding their first meeting, which, if desired by either party, shall be at, or as near the Dam occasioning the injury complained of as may be convenient, giving ten days notice to both parties of the time and place of such
20 meeting.
- 4th. The Arbitrators first named shall administer an Oath of office.
oath to the umpire, and he shall, in like manner, administer an oath to the other two, well and truly to hear and determine the matter in dispute between the parties, and
25 a just and true award to make according to the evidence, without fear, favour or affection, or hope of reward.
- 5th. The third Arbitrator shall preside at all meetings Duty of Umpire.
of the Arbitrators, issue a summons or warrant if necessary to compel the attendance of witnesses—shall swear,
30 all the witnesses and record the testimony given, and which shall be signed by the witnesses, respectively.
- 6th. If required by either party, the Arbitrators shall View.
proceed to the land overflowed, and personally view the premises before making their award.
- 35 7th. The Arbitrators shall determine as well all past Damages.
damages as also the value of the land overflowed, and the loss it would occasion to the owner were he permanently