

said Ground, shall be deemed public nuisances, and may be abated accordingly, by order of any Stipendiary Magistrate.

V.—It shall not be lawful for any person whomsoever to build, construct or erect, or to excavate or otherwise proceed in the commencement of any building or erection, within the limits and boundaries of the said Main Street, so defined in manner aforesaid, nor within the lines that may be marked out by the said Surveyor General, and approved of by the Governor in Council aforesaid, as and for the width of any Street or Firebreak, whether the party or parties owning or claiming an interest in the Ground embraced within the limits of any such Street or Firebreak shall or shall not have been paid or tendered compensation for the same; and all and every such buildings and erections which, from and after the passing of this Act, shall be so erected or constructed, or in any manner commenced to be so erected or constructed, shall be and be deemed to be public nuisances, and shall be abated accordingly, by order of any Stipendiary Magistrate, who, after hearing the party complained of, or, in default of his appearance on being summoned for that purpose, if such nuisance be proved, shall make an order for the abatement thereof, which order shall be carried into effect by such means as any stipendiary Magistrate may deem expedient.

Penalty for building on Main or other Streets or Firebreaks.

VI.—All owners or occupiers of Lands and Tenements within the said Town, whose interests shall be in any way affected by the carrying of the provisions of this Act into operation, shall, before such Lands or Tenements shall be appropriated for the uses aforesaid, be paid compensation for any damage they may sustain in that behalf; and that for the purpose of ascertaining the amount of compensation to be made in any case, it shall be lawful for the party interested in the property affected to name one Arbitrator, and the Governor in Council to name another Arbitrator, and such two Arbitrators shall name a third; and in case any party interested in such property as aforesaid shall refuse or neglect to appoint an Arbitrator within Seven Days after notice so to do; or in case the Arbitrators shall disagree in the choice of such a third Arbitrator, in either case it shall be lawful for the Governor in Council to nominate and appoint a third Arbitrator; and the award of any two such Arbitrators shall be binding between all parties to such Arbitration; and the said Arbitrators so to be appointed under this Act shall be sworn before a Magistrate to do justice between the parties, and shall have power to summon and require the attendance before them of all parties interested in the property to be appraised by them, or the Agents of such parties respectively, and also all Witnesses or other persons, and to require the production before them of all Deeds and Papers requisite to establish the title or interest of any party claiming in manner hereinbefore mentioned; and shall have power to examine on Oath (to be administered by any one of such Arbitrators) all such parties or their agents, and all such Witnesses or other persons, touching the matters to be enquired into by such Arbitrators; and in estimating the damage which may be occasioned to any property under this Act, the

Compensation to be made to parties whose interests may be affected.

Arbitration.