

the Rail or other roads leading to and from the same within the limits aforesaid, first paying or tendering the value thereof, which value shall be determined by two persons selected, one by the claimant and the other by the said Company ; and in case they do not agree a third person shall be selected by them, (or if they cannot agree upon such third person then by the County Judge on the application of either of them), whose decision shall be final ; and the said Directors shall select and by certificate designate the ways to and site of the said Bridge, copies of which said certificate shall be filed in the office of the Register of the County of Welland, and such ways and site shall be deemed the ways to and site for the said Bridge, and on which the said Corporation may make and construct the said ways and bridge as hereinafter mentioned

Height of
bridge from
water.

X. Provided always and be it enacted, That the height of the said bridge and of the several parts thereof above the surface of the water, shall be determined by order of the Governor in Council, to which order the said Company shall in all respects conform, on pain of forfeiting all the privileges to them granted by this Act.

When the
Company
may take
tolls.

XI. And be it enacted, That whenever the said Bridge shall be completed and its safety fully tested, and the fact certified by the Provisional Warden of the said County of Welland, the said Corporation may erect a gate or gates, and determine and establish the rates of toll to be demanded for the use of the said Bridge.

Directors may
make By-laws
as to mode of
using the
bridge.

XII. And be it enacted, That the said Directors shall have power to make such rules and pass such By-laws as they may think reasonable and proper, with suitable penalties (not exceeding in any case *twenty pounds*), touching the speed in passing over the said bridge and the weight to be admitted thereon at any one time, which rules as well as the rates of toll shall be plainly painted on a board or cloth, and put upon or near each gate in a conspicuous place ; and such penalties if incurred shall be recoverable in like manner as the penalties hereby imposed.

Approval
requisite to
By-laws
imposing tolls.

XIII. Provided always and be it enacted, That no by-law imposing or regulating the tolls to be taken by the said Company shall have any force or effect, nor shall any such tolls be received by the Company under it, until such by-law shall have been submitted to and approved by the Provisional Warden of the County of Welland, and signed by him in witness of such approval, nor until, after being so approved by the said Warden, it shall also be approved by the Governor in Council.