

BILL.

No. 112.]

[18 3.

An Act to authorize Hilaire Theberge to levy Tolls on a Bridge erected by him over the south branch of the River Yama-ka, in the village of the Parish of St. Pie.

WHEREAS, Hilaire Theberge, farmer, of the Parish of St. Pie, in the County of Bagot, has, at his own costs and charges, erected a solid and substantial Bridge over the south branch of the River Yama-ka, at the end of Bridge street in the village of St. Pie, in the Parish of St. Pie, County of Bagot, the said Bridge being one hundred and eighty feet in length by eighteen feet in breadth, and having openings fifty-six feet in width between the piers, and whereas he prays by his petition to be authorized to receive tolls on the said Bridge; Therefore Her Majesty enacts as follows:

Preamble.

10 **1.** The said Hilaire Theberge is hereby authorized to erect and construct, at his own cost and expense, a Toll House and Toll Gate near to, or upon the said Bridge; and also to do and execute all such other matters and things as shall be necessary, useful or advantageous for erecting and constructing, keeping up and maintaining the said Bridge, Toll House, Toll Gate and other dependencies, according to the true intent and meaning of this Act.

Toll house, &c., may be erected.

20 **2.** For the purpose of maintaining and supporting the said Bridge, the said Hilaire Theberge, his heirs and assigns, shall, from time to time, have full power and authority to take and use the land on either side of the said river, and there to work up, or cause to be worked up, the materials and other things necessary for erecting, constructing, or repairing the said Bridge, doing as little damage as possible, and making just and reasonable compensation to the owners and occupants of all lands altered or damaged or made use of, for the value of such lands, or for the damage caused by the works necessary for the construction and maintenance of the Bridge, Toll House or other dependencies.

Lands may be taken, &c.

30 **3.** In case of difference of opinion or dispute as to the amount of such compensation, the sum to be paid shall be fixed and determined by two arbitrators, one to be chosen by each party, and the said arbitrators, before proceeding to hear the parties, shall choose a third arbitrator, who shall not be interested nor related to any one of the parties within the degree prohibited in civil proceedings; and they are empowered, having given two days' notice to the parties to hear the parties and their witnesses, and to examine their other evidence, and the proceedings being terminated they shall give their decision in the case, which they shall cause to be drawn up before notaries; the decision shall be forthwith communicated by the said Hilaire Theberge or his assigns, to the party interested, and the amount fixed by the majority of the arbitrators shall at the same time be tendered to the said party, provided always that the said Hilaire Theberge shall not begin the erection of the said toll house and other works by which any person may be deprived of his lands or suffer damage until the estimated price of such lands or the amount of such damages shall have been paid to the said party, or until the said amount shall have been tendered to him.

In case of dispute as to value.