

BILL.

An Act to amend the Act to Incorporate the Clifton Suspension Bridge Company.

WHEREAS the Clifton Suspension Bridge Company have by their Petition set forth that they are prevented from obtaining the lands requisite for the construction of and the approaches to their bridge by reason of certain of the owners of such lands demanding exorbitant sums and refusing to appoint arbitrators, and have prayed that their Act of Incorporation may be amended so as to provide for the fair settlement of such cases; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 5, of the 31st Victoria, chapter 82, shall be struck out and the following inserted instead thereof:—

“5. The said directors shall have full power to enter upon, take and occupy any lands necessary for the construction of, and approaches to, the said bridge, first paying or tendering the value thereof, which value shall be determined by two persons selected, one by the claimant or owner of the land, and the other by the said company, and the arbitrators so selected by the claimant and the company shall proceed to determine the value of the land sought to be acquired, and the value of the land so determined upon by the said two arbitrators shall be paid or tendered to the claimant by the company, but in case the said two arbitrators cannot agree upon the value of the land, then a third person or arbitrator shall be appointed by the Lieutenant-Governor of the Province of Ontario, whose decision shall be final; and in case the claimant shall neglect or refuse to select an arbitrator within twenty days after being served with a notice by the company, that they have selected their arbitrator and requiring the claimant to select an arbitrator, then, from and after the expiration of the said twenty days, it shall and may be lawful for the Judge or acting Judge of the county in which such land is situate, upon application being made to him for that purpose by the said company, and proof given that such notice has been served as hereinbefore provided, to appoint an arbitrator for and on behalf of the claimant, which arbitrator, so named by such Judge or acting Judge, shall have the like power and privileges as if appointed by the claimant, and the two arbitrators so selected by the company and the said Judge or acting Judge shall proceed to determine the value of the land as hereinbefore mentioned, and shall fix and assess the value to be paid by the company to the claimant for the land; and the company before taking possession of the land shall pay or tender to the claimant the amount or value so determined upon by the said two arbitrators; and in case the said two arbitrators cannot agree upon or determine the value of the land, then a third person is to be appointed by the Lieutenant-Governor of the Province of Ontario, whose decision shall be final.

Section 5 of 31 Vic., c. 82 repealed, and new sections instituted.

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