

as the case may be, the lessee or lessees, manager or agent of same, may draw its cars over such road with its own engine or engines during such neglect, refusal or inability as aforesaid, subject, while on such road, to its regulations for the management of its own trains, if such should be in force.

4. The Company or party owning or having the management of either of the connecting lines, shall allow the use of their respective depots, the one to the other, for the landing, receiving and storing the merchandize of either, at all reasonable and convenient times, and at reasonable and customary charges.

5. Nothing in this Act contained shall be construed to interfere with the rights of either the connecting lines to fix the rates of such transportation of passengers or merchandize as shall be confined wholly to any one of the connecting lines alone.

6. Whensoever it shall happen that the corporate bodies or companies so owning the Railroad lines respectively, the lessee or lessees, or the manager or managers, agent or agents of same, shall, after request made, fail to agree upon any of the matters in the preamble of this Act mentioned, it shall and may be lawful for either, and they are hereby authorized to make applications to the Supreme Court of this Province or to any Judge thereof, first giving fourteen days notice, the one to the other, of such their intention, that three Commissioners may be appointed to settle and determine any of the matters aforesaid, so desired to be settled and determined, who shall thereupon be appointed by the Supreme Court or any Judge thereof, for the purpose or purposes for which their appointment may be sought, and the notice to be given as aforesaid shall specify the purpose for which such appointment is so sought.

7. It shall be the duty of such Commissioners, immediately after their appointment and notice given to them by the party applying, to notify the said companies or bodies corporate, the lessee or lessees, manager or ostensible agent of any such connecting lines, of their intention to hear the parties concerning the matters for which they may have been appointed, specifying in such notice the time and place of hearing, and to determine the matter sought to be determined, adjusted, or regulated, and shall make and sign their award in the premises, prescribing the things to be done or otherwise as required of them, and their determination in relation to any of the matters upon which their interference is required, and for which they may have been appointed; which award or return of such Commissioners shall be rendered to the Supreme Court for the purpose of being confirmed and filed; upon such confirmation it shall be binding upon all parties concerned, and shall be made an order of the Supreme Court, enforceable by such Court, and shall so remain in force until a new application is made by either party as aforesaid, and award rendered and confirmed; provided always, that no such new application upon the same matter shall be made within one year after such confirmation.

8. The Supreme Court may issue any process necessary to enforce respect to the order so to be made as aforesaid.

9. The Commissioners, when appointed as aforesaid, shall be invested with the authority of Courts of Law, to summon witnesses, compel their attendance before them, and to testify.

10. A compensation to be made to the Commissioners for their services shall be allowed, not exceeding four dollars a

day and travelling expenses, and the said Commissioners shall and may order and direct what party shall be liable for the same, or may apportion the payment of the same between the parties, and such payment shall be enforced by being made part of the order of the Court aforesaid.

11. On neglect or refusal by any such corporation or body corporate, the lessee or lessees, manager or agent of the same, to fulfil and abide by the terms and order of any such award so to be made by the Commissioners to be appointed as aforesaid, upon demand made upon such corporation or body corporate, their lessee or lessees, manager or agent, by the party who may have applied for the appointment of Commissioners as aforesaid, and who have made their award or order in the premises, and which award or order may have been confirmed in manner aforesaid, the said corporation or body corporate shall be subject to a penalty of forty dollars per day for each and every day's neglect or refusal to carry out and obey the award or order of the Commissioners, which penalty may be recovered by the party so applying as aforesaid, before any two Justices of the Peace resident in any County where the line of Railroad may be to which the said award or order may relate, and such proceedings for the recovery of such penalty may be taken under the Act of Assembly relating to summary convictions.

12. That this Act shall continue in operation for three years from the passing of the same.

CAP. XIII.

An Act to provide for the election of Councillors and the appointment of Parish Officers in the several Municipalities in this Province.

Section.

1. Parish Officers, how appointed; proviso.

Section.

2. Acts repealed.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. All Parish Officers of the said Municipalities, or so many as may be deemed necessary for the year ensuing their appointment, shall be appointed from time to time by the Council of the said Municipalities, and not otherwise; provided nevertheless, that the Parish Officers who may be in office at the time of the passing of this Act, may continue in the same until others shall be appointed in their stead.

2. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

CAP. XIV.

An Act to encourage the formation of Oyster Beds.

Section.

1. Lease or License, by whom granted; proviso.
2. Lease, how sold. Upset price, by whom determined.
3. Rights of Lessees.

Section.

4. Penalty for trespass on any Lease.
5. Penalties, how recovered.
6. Penalty to be in addition to civil rights of Lessees. Free navigation not to be interfered with.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Governor in Council may grant leases or licences of occupation for a term not exceeding ten years, of the fore-shore beyond low water mark on the coast, or within the bays, inlets, harbours or rivers of this Province, for the formation of oyster beds, and the cultivation of oysters, provided that no oyster beds now existing shall be so leased or licenced.