

party respectively, may appoint an arbitrator in the place of the arbitrator so deceased or not acting, and if the company or party refuse or neglect to appoint such arbitrator, the judge, upon the application of the party or of the company, as the case may be (previous notice of at least two clear days having been given to the other,) on being satisfied by affidavit or otherwise of such death, disqualification, refusal, or failure and of the refusal or neglect to replace the arbitrator so deceased or not acting, shall appoint another arbitrator in his place; and in the case of a third arbitrator appointed by the two arbitrators, the provisions of the sixteenth sub-section of this section shall apply; but no recommencement or repetition of prior proceedings shall be required in any case."

Pending
cases of ex-
propriation.

5. The preceding provisions shall not apply to cases of expropriations commenced before the coming into force of this act.

C A P. X X X I.

An act to amend the act incorporating the Levis and Kennebec railway company.

[Assented to 28th December, 1876.]

Preamble.

WHEREAS the Levis and Kennebec railway company have presented a petition praying for an extension of the delay of eight years granted to such company by the act of this province, passed in the thirty second year of Her Majesty's reign, chapter fifty four, for the construction of the said railway, from the town of Levis, from any point in Notre-Dame ward of the said town of Levis to the frontier between the county of Beauce and the state of Maine, one of the United States;

And whereas the said Levis and Kennebec railway company represent in their petition, that they have encountered serious obstacles in the construction of such road;

Whereas the said Levis and Kennebec railway has been actually built and placed in operation, from a certain point in the parish of Notre-Dame de la Victoire, to another point, a little on this side the church of St. Joseph, in the county and district of Beauce, a distance of about forty-five miles;

Whereas it is opportune to authorize the said company to traverse the said town of Levis by passing through the villages of Bienville, Lauzon and the parish of St. Joseph de Levis, to reach the lower parts of the cliff in the said town of Levis;

Whereas an additional delay of six years is necessary to enable the company to complete and finish such road to the said frontier, between the county of Beauce and the state of Maine as aforesaid, and it is convenient to accede to the prayer of the petition and to grant an extension of the delay to construct the said Levis and Kennebec railway : Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section two of the act of this province 32 Vict., ch. 54, is hereby amended, by striking out in the fourteenth line thereof, the words after the words "from Notre-Dame ward aforesaid," and substituting the following therefor "traversing the said town of Levis, the villages of Bienville and Lauzon and the parish of *St. Joseph de Lévis* to reach the foot of the cliff in the said town of Levis." ^{32 V., c. 54, s. 2, amended.} ^{Line.}

2. Section sixteen of the same act is hereby amended, by substituting the word "fourteen" for the word "eight," in the fourth line of the said section. ^{s. 16, amended.}

C A P. X X X I I.

An Act to amend the act incorporating the Quebec central railway company.

[Assented to 28th December, 1876.]

WHEREAS the Quebec central railway Company have by their petition represented that it is desirable to amend their act of incorporation, and it is expedient to grant the prayer of their petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows : ^{Preamble.}

1. The time for the completion of the said railway and works connected therewith is hereby extended to five years from the passing of this act. ^{Delay extended.}

2. This act, and the acts of this province 32 Vict. ch. 57, 36 Vict. ch. 47, and 38 Vict. ch. 45, shall be read and interpreted as forming one and the same act for the purposes of the said railway. ^{Interpretation.}

3. This act shall come into force the day of its sanction. ^{Act in force.}