

Supervisor to be appointed by the Governor.

His duties.

Office to continue for five years.

Mode of compensating parties whose interests may be affected.

Arbitration.

Appeal.

Proviso.

Amounts for compensation under £25 paid by Warrants on the Treasurer; - above £25 by Treasury Notes.

the said town and suburbs, who shall superintend the carrying into effect the provisions of this Act; which Supervisor shall, before he enters upon the duties of his said office, be sworn before one of the Judges of the Supreme Court, faithfully to discharge the duties of his office without fear, favor, or affection; and such Supervisor shall lay down, upon such plan and in such manner as may be directed by the Governor in Council, such common drains and sewers throughout the said town, as may be necessary for cleansing and draining the same; and there shall be paid to the said Supervisor an annual salary of Three Hundred Pounds: Provided that such office of Supervisor shall continue for a period of Five Years and no longer.

X.—And be it enacted, that all persons, proprietors of lands or tenements within the said town, whose interests shall be in any way affected by the carrying into effect the provisions of this Act, shall, before such lands or tenements be appropriated for public uses, be paid compensation for any damage they may sustain in that behalf; and that for the purpose of ascertaining the amount of compensation to be made in any case wherein the said Proprietors and Supervisor shall not agree, or wherein the Governor and Council may not approve of the awards of the said Supervisor, it shall be lawful for the party or parties interested in the property affected to name one arbitrator, and the Supervisor to be appointed under this Act to name another arbitrator, and such two arbitrators shall name a third, and the award of any two of them shall be final and binding; and in case any party interested in such property as aforesaid, shall refuse or neglect to appoint an arbitrator, within three days after notice shall be given him, her, or them, by such Supervisor, or in case the arbitrators shall disagree in the choice of such third arbitrator, in either case it shall be lawful for the Governor in Council to nominate and appoint an arbitrator, and the award of any two of such arbitrators shall be of the like effect as if one of such arbitrators had been appointed by the party, and the third had been chosen by such arbitrators; and such arbitrators shall, before they proceed in the execution of their duty, be sworn before a Justice of the Peace, faithfully and without favor to either party to discharge their duties as such arbitrators: Provided, that it shall be lawful for any party who shall claim on oath any amount of compensation beyond One Hundred Pounds, and who shall be dissatisfied with any such award, to appeal therefrom to the Judges of the Supreme Court, by petition, within one week from the making of such award, in term time or vacation, and it shall be lawful for such Judges to summon all necessary parties and witnesses, and to inquire into the merits of such petition, and to make such award and decision thereon as shall be just and equitable, which decision and award shall be final: And provided further, that in ascertaining the amount of compensation under this Act, the additional value derived to the several proprietors from the convenience and security afforded by the improvement of the Streets shall always be taken into account.

XI.—And be it enacted, that the Governor or Administrator of the Government for the time being shall be authorized to draw Warrants on the Colonial Treasurer for the payment of compensation to be awarded under this Act, which compensation shall not exceed in the whole the sum of Twenty Thousand Pounds, and that in discharge of such warrants for any amount not less than Twenty-five Pounds, as may from time to time be drawn upon him for such purpose by the Governor for the time being, it shall be lawful for the Treasurer, in discharge of such warrants, to pay to parties in whose favour such Warrants may be drawn, the amount of compensation to which he, she, or they may be respectively entitled, by Treasury Notes payable within Ten Years from the date thereof, and bearing Interest at the rate of Five per cent. per annum, which shall be redeemable on Three