

If the road is found out of repair, costs to be paid by the Company or Municipality.

III. If the Engineer; on his first examination of the road, finds it to be out of repair as aforesaid, the costs of the requisition to the County Judge, and of the visits and examination of the Engineer, and and all subsequent costs and expenses, shall be borne by the Company or Municipality bound to repair the road, and shall be recoverable from such Company or Municipality, either by the Engineer or by the freeholders making the requisition to the County Judge, if they have paid the same to the Engineer; and such costs shall include a fair remuneration to the Engineer for his services, and all his necessary disbursements. 5 10

Another Engineer may be appointed in certain cases.

IV. If the County Engineer, or the Engineer first appointed by the County Judge becomes, from any cause, unable to make or complete the examination, or to do or complete any proceeding required of him by this Act or the Act above cited, in relation to such requisition as aforesaid, this then the Judge of the proper County Court, being satisfied thereof, may, upon the application of any of the parties interested, appoint some other Engineer to make or complete such examination, or do or complete such proceeding, act or thing, as effectually to all intents and purposes as the County Engineer or the Engineer first appointed might have done, and may recover his costs and disbursements in like manner. 15 20