

II

shall be competent for the Boards of Road Commissioners, if they shall think proper, to advance to any Contractor or Contractors one third of the amount of his or their Contract, which said one third shall be paid to the said Contractor or Contractors on the production to the Colonial Secretary of a Certificate, under the hand of the Chairman of the Board of Road Commissioners with which he has contracted, of such Contract having been entered into ; and that on the production of a Certificate from the Board of Commissioners of one half of the amount of work contracted for being completed, such Contractor or Contractors shall be entitled to receive a second third part of the amount of his or their Contract ; duplicates of which Certificates to be given as aforesaid shall, at the same time, be forwarded by the Chairmen of the respective Boards of Road Commissioners to the Board of Control ; and such Commissioners shall so frame their Contracts that the same shall be finished within a limited time, and payment of one-third of the full amount thereof respectively, shall always be withheld until the work therein contracted for shall appear by the affidavit of the Inspector or Surveyor of such Boards respectively, specifying the particulars and measurement of such work, to have been fully completed, examined and passed, agreeably to Contract.

VIII.—And be it further enacted, that previously to any sum or sums of money being expended in the opening or making of any new Road, the proposed line of Road shall first have been surveyed by or under the direction of the respective Boards of Commissioners and approved by them : Provided always, that no line of road on which monies have been expended by the Legislature, shall be altered without the expressed approval of the Board of Control hereinafter mentioned, and no new Road shall be gravelled until after the expiration of twelve months from the time of such road being made.

IX.—And be it further enacted, that if any complaint shall arise as to the unsuitableness of any line of Road adopted by any Board of Commissioners, and such complaint shall be preferred to the Board of Control by any Five Persons residing within the vicinity of the District in which such line of Road shall be laid out, it shall be lawful for the said Board of Control, if they shall see fit, to order the same to be re-surveyed by a Surveyor acting under their instructions, whose survey and report or decision thereon, shall, if adopted by the Board of Control, be final.

X.—And be it further enacted, that whenever it shall become necessary for the opening, making or widening any Road, Street, or other work, to appropriate any Piece or Parcel of Land, being private property, it shall and may be lawful for the Board of Commissioners, before such Road, Street, or other Work, shall be opened, laid down, or commenced, to pay, by certificate addressed to the Colonial Secretary, out of such Monies as shall be at their disposal for the purpose of making such respective Road, Street, or other Work, a fair and reasonable compensation to every person having any interest in the Land so intended to be appropriated ; and also to compensate any person or persons for any damage which may be occasioned to his or their property by the making, opening, or widening such Road, Street, or other Work ; and if the said Board of Road Commissioners and the owner or owners of such property cannot agree upon the amount of compensation to be paid, such amount shall be ascertained by one of the Justices of the Peace within the District where the Land is situate, and two Assessors, one of whom shall be nominated by the said Board of Road Commissioners and the other by the owner or owners of the Land, and who, or a majority of whom, shall assess and award the amount of

New Roads to be surveyed by direction of Commissioners.

Proviso.

Complaint of any line of Road may be heard by Board of Control.

Mode of compensating parties sustaining loss or damage by making or improving Roads.