

the expropriation whereof shall have been resolved upon by the City Council or for the damages caused by such expropriations; and the same commissioners may act and adjudicate upon the price or compensation for all and every the pieces or parcels of land or real estate, buildings or parts of buildings thereon erected required for any improvement which the said council may have ordered to be made or carried out at one and the same time; and the said commissioners are hereby authorized and required to hear the parties and to examine and interrogate their witnesses, as well as the members of the city council and the witnesses of the said corporation; but the said examination and interrogatories shall be made *viva voce* and not in writing, and shall consequently not form part of the report to be made by the said commissioners, any law, usage or custom to the contrary notwithstanding; provided always, that if in the discharge of the duties devolving on the said commissioners by virtue of the present Act, there should occur a difference of opinion between them as to the value of the piece of land or real estate about to be expropriated, or upon any other question within their province, the decision of two of the said commissioners shall have the same force and effect as if all the said commissioners had concurred therein;

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8. In every case wherein the corporation of the said city may have resolved to carry out and execute any of the works or improvements aforesaid, at the city's expense exclusively, the said commissioners shall be held to determine and award when the expropriation shall apply to or affect but a portion of the property or real estate, what may be the damage to or deterioration in value of the residue of the property or real estate by the separation from it of the part required by the said corporation, and they shall determine, first, the intrinsic value of the part of the property and premises to be taken, and, secondly, the increased value, if any, of the residue of the property caused by the proposed improvement, and the difference between the intrinsic value of the part of the property and premises required and the increased value aforesaid shall constitute the price or compensation which the party or parties interested shall be entitled to, and when the said commissioners shall determine and award that the increased value is equivalent to or in excess of the intrinsic value of the part of the property and premises required, then they shall not award any price or compensation for the part so required or liable to expropriation;

8 If one or more of the said commissioners, at any time after their appointment, shall fail in the due performance of the duties assigned to them in and by the present Act, or shall not fulfil the said duties in a faithful, diligent, and impartial manner, it shall be lawful for the corporation of the said city, by its attorney, to apply, by summary petition, to the said Superior Court, or to a judge thereof, as the case may be, to stay the proceedings of the said commissioners, and to remove and

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quid!

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