

lawful for the respective Boards of Commissioners, by and with the consent and approbation of the Board of Control hereinafter-mentioned, to afford such further Remuneration to any such Surveyor as may be reasonable and proper.

Private property may be taken for opening or widening Roads under this act.

Amount of compensation to proprietors to be ascertained by arbitration.

X.—*And be it further enacted*, that whenever it shall become necessary for the Opening, Making or Widening of any Road, Highway, or other Work, to appropriate any Parcel or Piece of Land being the private property of any Person or Persons, it shall and may be lawful for the respective Boards of Road Commissioners, before such Road or Bridge shall be laid down, to pay out of such Monies as shall be in their hands for the purpose of making such respective Road or Highway, or other Work, a fair and reasonable Compensation to each and every Person or Persons holding or possessing any interest in the Land so intended to be appropriated for such Road; and the amount of such Compensation shall be ascertained by the appointment of Two Arbitrators on the part of the respective Boards of Commissioners, and Two Arbitrators on the part of the respective Person or Persons so possessed of, or holding any interest in the Land so intended to be appropriated to such Road or Highway, which Four Arbitrators shall appoint an Umpire, and such Court of Arbitration shall be sworn to make award justly and impartially, and shall and may condemn or approve of the incroachment complained of, and decree the proper amount of Compensation, having taken into account the improvement, if any, to the value of the property made by the erection of such Bridge, or the Opening or Widening of such Roads; and such Sum or Sums of Money as shall be awarded under the hands of any Three or more of such Arbitrators, or Two of such Arbitrators and the Umpire, shall be deemed to be a sufficient Compensation to each and every Person respectively, having or possessing any right or interest in Land so appropriated or intended to be appropriated to such Road or Highway.

Proceedings in cases of proprietors refusing to accept the compensation offered.

XI.—*And be it further enacted*, that upon the Tender of such Compensation to the respective Person or Persons having or possessing any right or interest in such Land respectively, or in the event of such Owner or Owners of Land having refused or neglected to appoint Arbitrators, then upon the Tender of such Compensation as Four Arbitrators, to be appointed by the respective Commissioners, shall certify under their hands as sufficient, it shall and may be lawful for the respective Board of Commissioners to enter upon, take and appropriate, or make order for the entry upon, taking and appropriation, of all such Land respectively, for the Opening, Making or Widening of such respective Road or Highway, and thereupon the Right, Title and Interest of all and every such Person or Persons aforesaid, of and in such Land, shall cease, and the same shall be deemed and taken to be a Public Road and Highway.

Where the sum voted for any Road be more than sufficient.

XII.—*And be it further enacted*, that in all cases where any Sum or Sums of Money herein declared to be applicable to any particular Road, or any Bridge, shall be more than sufficient for the same respectively, it shall and may be lawful for such respective Board of Commissioners (by and with the consent of the Board of Control hereinafter mentioned) to appropriate and apply all or any such surplus Monies to any other Road or Bridge hereinbefore mentioned within the jurisdiction of the said Board.

Commissioners not to be concerned in any contract or work.

XIII.—*And be it further enacted*, that no Commissioner shall be directly or indirectly engaged or concerned in any Contract or Agreement for the Making of any Roads or any Bridges, or for any Work,