

4. After the completion of the said survey the said Caddy, or such other competent person, shall make reports and maps thereof, one of which shall be filed in the office of the Commissioner of Crown Lands and the other in the Registry Office of the United Counties of Northumberland and Durham.

5. Should it appear, upon such survey made as aforesaid, that the now-travelled and improved roads and which are not to be interfered with, except to be made one chain in width if not so now, or the course thereof altered, are not upon the true line of the original allowance for roads in the said concessions or either of them, but wholly or in part upon some one lot or lots, the strip of land between the said travelled roads and the true allowances, together with that part of the true allowance not used for a road, shall be ascertained and the value thereof assessed by the said Caddy, which shall be paid to the party or parties injured or prejudiced by the said travelled roads, by the owner or owners of the lot or lots adjoining (to which the said strip and road are hereby declared to belong and to be a part thereof) within two years from the date of the notice to be given by the said Caddy, as in this section hereinafter mentioned, with interest thereon after the rate of six per cent. per annum; Provided always, that the said Caddy, or such other competent Surveyor, before he shall assess the value as aforesaid, shall give notice in writing of the time and place when the said assessment shall take place, ten days prior thereto, to the owner or owners of the said lots adjoining the said travelled road or to his or their personal representative or representatives, either by causing the same to be served personally upon him, her or them, or left at his, her or their last or most usual place of abode in this Province.

6. In case the said party or parties, or his, her or their representatives as aforesaid, shall not object to the assessment as aforesaid of the said Caddy, by notice in writing to be served upon him or left at his usual place of abode, within four days, after the service upon him, her or them, of his intention to proceed with such assessment, it shall and may be lawful for the said Caddy to proceed therewith, and his decision and assessment in writing to be served upon each of the said parties as aforesaid, or his, her or their said representatives, shall be final and binding upon all parties concerned, and the amount of the said assessment shall and may be recovered as a debt after the time of payment thereof, as above mentioned, has elapsed (if unpaid) in any court having competent jurisdiction, against the party or parties adjudged by him to pay the same, upon evidence only that the paper containing said value and assessment was signed by the said Caddy and served as aforesaid, and until payment thereof, the said assessment, which or a copy thereof may be filed in the Registry Office of the West Riding of the County of Northumberland, shall be a charge and lien on the said strip and road.

7. If either or both of the said parties, his, her or their representative or representatives as aforesaid, shall object in writing within the said four days, to the assessment being made by the said Caddy alone, and shall appoint and name an arbitrator or assessor to act for him, her or them, and give notice thereof in writing to the said Caddy or such other competent Surveyor, in the form mentioned in the Schedule A, to this Act annexed, marked number one, within the said four days, the said Caddy or such other person who is hereby appointed one of the arbitrators or assessors to act with the other or others, shall within a week after service upon him as aforesaid, of the said notice or notices or the last of them, appoint in writing a time and place (of which each of the said parties or his, her or their representative or representatives