

the case contemplated in Article 14, it is the surveyor (*perito*) named by the proprietors and the one appointed by the Prefect, who together perform the above-mentioned duties; and they prepare and make out their estimate under the eye of the third surveyor (*perito*) appointed by the Minister of the Interior; and he it is who in this case acts as arbitrator if required,

Article 22. The *procès-verbaux* of the valuations of the classes remain for one month at the office of the Prefecture. The parties interested are apprized by public notice; and in cases of appeal the Council of the Prefecture gives judgment according to the forms observed in the civil courts. In every case the valuation must be submitted to the Council of the Prefecture, which, with the advice of one or more of the Royal Corps of Engineers of Roads and Water-Courses, will sanction or amend it. This Council may decide in favour of or against the opinion of the surveyors (*periti*).

Article 23. As soon as the estimate is definitively settled, the works for the improvement are to begin; and these are to be continued and completed within the periods specified in the Act granting the required permission, and under the penalties therein set forth.

SECTION III.

Of Marsh Lands during the progress of the Works for their improvement.

Article 24. In cases where the improvements cannot be completed in three years, and where the obstacles arise from the vast extent of the marshes, or from the difficulties and slowness of the works, the Act giving the required permission, may assign to the undertakers of the works a portion of the price of the produce of the land which shall have been the first to derive benefit from the works.

Article 25. The disputes which the Act of permission may give rise to in this respect, come under the cognizance of the public courts of law.

SECTION IV.

Of Marshes after their improvement, and of the estimate of their value.

Article 26. When the works carried out on account of the Government, or by virtue of permission, are terminated, they are verified, and the allotment is proceeded with.

Article 27. All claims (demands or complaints) are taken cognizance of by the public courts of law.

Article 28. As soon as the fact of the completion of the works is established and approved, the surveyors (*periti*) mentioned respectively in Articles 14 and 21, accompanied by the third surveyor, named, as the case may be, either by the Prefect or by the Minister of the Interior, proceed in concert to classify the improved lands according to their new value and the species of culture of which they may be susceptible.

Article 29. The division by classes is verified, settled, and accompanied by an estimate in a form similar to that hereinbefore prescribed for the division and valuation of marsh lands about to be reclaimed.

SECTION V.

Of the Regulations with regard to the payment of the Indemnities due to the Proprietors.

Article 30. The value of the improved lands being definitively settled, the undertakers of the work present to the Prefecture a schedule containing—

1. The names of the proprietors.
2. The superficial extent of their property.
3. The classes in which each property is placed, according to the original graduated plan.
4. The first valuation calculated according to the superficial extent of the classes.
5. The amount of the new value of the property after the completion of the improvements, regulated according to the second estimate and the second division into classes.
6. Finally, the difference between the two valuations.

Article 31. If there should remain in the marsh portions of land which it has not been practicable to improve, these give the undertakers of the work no title to compensation.

Article 32. The sum total of the greatest value acquired by means of the improvement is divided between the proprietors and the contractors who have effected it, in such proportions as shall have been determined upon in the Act of permission.

Article 33. When the improvements are executed by the State, the relative expenses are regulated according to the dispositions of Article 58 of the Decree of May 6, 1806.

Article 34. The proprietors are severally entered in a register, in which is marked the sum due by each to the parties who have carried out the improvement. This register, compiled from the plan indicated in the preceding Articles, and seen and approved of by the Council of the Prefecture, shall be published by the Prefect, with a notice declaring the rates and the terms and times of payment; that is, should the works have been executed by the State, and accompanied with a notice that in cases of non-payment the debts will be handed over to be recovered by the receiver of public taxes. The same notice allows the parties by whom the money is due, the term of one month, within which they are to declare the manner in which they intend to liquidate the debt incurred to the contractors or undertakers of the works.

Article 35. The proprietors are exempted from payment in money, if they make over a corresponding portion of land, calculated according to the valuation of the last estimate. In this case they only pay the tax of one lira (8*d.*) for registering the deed making over the property.

Article 36. If the proprietors are unwilling to cede the land itself, they must pay at the rate of 4 per cent. on the amount of the capital due by them. This capital is always redeemable in portions of not less than one-fifth of its amount.

Article 37. The indemnities due to the contractors or undertakers of the work for the increased value caused by the improvements, have rights of priority over the whole of the augmented value, provided only that the contractors cause the Act of permission to be inscribed in the office or offices of the mortgages of the district or districts in which the reclaimed lands are situated.

Article 38. The mortgage of any individual whatever which shall have been registered previously to the improvement of the lands, is limited by means of the inscription required by the preceding Article, to a portion of property equal in value to the first valuation of the improved lands.

Article 39. In all cases the register or catalogue described in Article 34 shall be considered as a fiscal document,* and may be made out and published by the orders of the Prefect, through the medium of the public receivers of the direct taxes.

Article 40. The list of the parties from whom money is due, with the documents proving that the notice alluded to in Article 34 has been made public, shall be transmitted by the Prefect to the Minister of the Interior.

Article 41. In cases where the payments are put off or delayed, the State shall acquire the right to the same sort of mortgage as that granted to the contractors or undertakers of the work by Articles 37 and 38, by causing the decree by which the improvements were ordered, to be inscribed in the office or offices of the district or districts where the improved lands are situated.

Article 42. Any person whatever may make a requisition for permission to improve or reclaim any low or marshy lands, the property of the state, provided he

*i. e. May be published free of any tax.