

engages to execute the work within a given time, and gives security for the fulfilment of his undertaking.

Article 43. The Government will afford in such cases every facility both as regards the manner and the time of payment for such marsh lands, according to circumstances, and in conformity with the plans that will be presented to us by the Minister of the Interior.

SECTION VI.

Of the Preservation of the Works.

Article 44. While the improvements are in progress of execution, the canals, ditches, drains, banks and other works connected with the same, are maintained and kept up at the expense of the contractors or undertakers.

Article 45. From the moment that the works are delivered over to the proprietors of the improved lands, the custody and duty of keeping them up are at the charge of the latter.

Article 46. The Prefecture, with the assistance of the Royal Corps of Engineers of Roads, &c., proceeds to mark out as many districts (*circondarii*) as may be compatible with the extent and position of the improved lands, and organizes the different associations of the proprietors that are interested, according to the method described in our Decree of May 20, 1806.

Article 47. The Minister of the Interior, upon the report of the General Direction of Roads, &c. approves or amends the plans of such districts and the regulations of their respective delegations, causing them to be inspected by the Corps of Engineers.

SECTION VII.

General Dispositions.

Article 48. When the plan of improvement referred to in Article 17 extends over several departments, it is transmitted in entire to each of the respective Prefects. The regulations prescribed in Article 18 are observed in all the Prefectures, and the approval of the same is reserved to the Minister of the Interior, upon the report of the General Direction of Roads, &c.

Article 49. Should there be a question of reclaiming large and vast marshes extending over several departments, a special commission composed of persons from each of the several departments will exercise the powers conferred by the present decree upon the Council of the Prefecture. All complaints against the proceedings of this commission are decided in the public courts of law.

Article 50. In the case contemplated in the preceding Article, upon the report of the Prefects of the departments in which are situated the lands to be reclaimed, such a number of persons will be proposed as may be thought necessary to form a commission.

Article 51. These will be chosen from among those persons of the several departments interested, who are best acquainted with the localities and with the various subjects on which they are to give their opinion. The nomination shall be made by us.

Article 52. The mode of calling together the members of the commission, the times and places of meeting, the regulations for its government, the offices and custody of the papers, the expenses, and finally all that may concern its organization, shall in all cases be settled by the Executive.

Article 53. All disputes that may at any time arise respecting rights of property, shall be handed over to the civil courts, and this without in any case suspending or retarding the works of improvement.

Article 54. Whenever for the purpose of carrying out the improvements there may be a question of pulling down the water-mills or such like buildings, or of changing their site, or of altering the elevation of their waters, the necessity of the case will be left to the decision of the Direction General, &c., upon the report of the Royal Corps of Engineers. The amount of the estimated value is paid by the State when the State undertakes the works; and if the works are undertaken by con-

tractors, the sum awarded must be paid down before they can be permitted to stop the mills or such like establishments.

Article 55. For the occupation of the ground requisite to open ditches and drains a reasonable indemnity will be paid to the proprietors.

The Ministry of the Interior is charged with the execution of the present decree, which will be inserted and published in the "*Bolletino delle Leggi*."

(Signed) EUGENE NAPOLEON.

For the Viceroy,
The Privy Councillor, Secretary of State,
(Signed) A. STRIGELLI.

Inclosure 3.

Extract from the Law relating to the expenses of Public Works and the Administration of Public Waters.
(Milan, April 20, 1804.)

(Translation.)

Every individual is bound to cede the ground necessary for the channels, embankments, &c., of rivers, canals and drains, and generally for all works connected with waters which have for their object the public good; and fair compensation will be awarded where it is due.

Any individual wishing to procure water, whether the property of private persons or of the public, for agricultural purposes or for turning mills, &c., may conduct it through the property of others, paying the value, and one-fourth more, of the land occupied by the water course. The party thus obtaining water is bound to keep the water course in good order, as well as the banks and buildings belonging thereto, and to indemnify the owner of the property through which it passes, for any injury that may result to his estate from neglect in this respect.

These water courses must be conducted through such part of the property as the *periti* (public appraisers or surveyors) may think fit, as causing the least injury to the owner, due regard being had to the convenient application of the water.

Owners of lands on a lower level cannot refuse a passage to the waters flowing from the higher levels. The owners of the higher levels are charged with the expense of making the necessary channels for these waters, and with the protection of the property through which they pass, and are also bound to pay compensation for whatever injury may be occasioned to the said property. This regulation, however, does not invalidate any agreements or arrangements that may be made between the respective proprietors.

NOTICE.

IN pursuance of the 48th section of the Act 8th and 9th Victoria, cap. 93, I hereby give Notice that I have approved of the Brick Building on the East side of Prince William Street, in the City of Saint John, occupied by Messieurs Ranney, Sturdie and Company, for the Free Warehousing and Securing of Wines and Spirituous Liquors, for the purposes of the said Act; and I also revoke the appointment of the building on the West side of Prince William Street aforesaid, (heretofore known as Ranney's Warehouse,) for similar purposes.

Custom House, Saint John, }
New Brunswick, 28th April, 1847. }
H. BOWYER SMITH, Collector.

(No. 155.)

CROWN LAND OFFICE, March 23, 1847.

THE right of Mining for twenty five years on one or more Mining Grounds or Lots in the County of Northumberland, agreeably to the following Regulations and Conditions, will be offered for sale by Public Auction, at this Office, on Wednesday the 26th day of May next.—Upset price on each Lot five pounds.—Sale to commence at noon.

(9w)

THOS. BAILLIE, Sur. Gen.

REGULATIONS AND CONDITIONS.

1st. That the upset price on each Lot be five pounds, and the whole amount of the purchase money on each Lot to be paid on the day of sale, to the Receiver General or other person authorised to receive the same.