

commissioners to examine and locate roads, &c.

a number not less than twenty, of the taxable inhabitants of said county, setting forth that the public convenience requires the opening of any new road, or the widening, straightening, altering, amending or shutting up any old road, or part of any old road, in said county, and sufficiently describing in such petition, the road proposed to be opened, straightened, widened, altered, amended or shut up, to issue a commission to not less than three, nor more than five commissioners, free-holders of the said county, and not related to any of the parties interested, nor holding lands through which the said road is proposed to be opened, straightened, widened, altered, amended or shut up, authorizing and requiring the said commissioners, or a majority of them, to meet on the premises, and examine and determine whether the public convenience requires that the said road should be opened, straightened, widened, altered, amended or shut up; and if in the opinion and judgment of the said commissioners or a majority of them, the public convenience does require the said road to be opened, straightened, widened, altered, amended or shut up, the said commissioners or a majority of them, shall in case the application shall be for opening, straightening, widening, altering or amending a road, proceed to locate the same, in such manner, as will in their judgment best promote the public convenience, and they shall cause a plot of the same, and also of the old road where the application shall be to straighten, widen, alter, amend or shut up a road, to be made out by a scale to be prescribed by the said court, and shall return the same, together with a full report of their proceedings under their hands to the said levy court, and of the reasons on which their opinion is founded; and if the said commissioners, or a majority of them, shall be of opinion, that the said road ought not to be opened, straightened, widened, altered, amended or shut up, they shall report their opinion to the levy court aforesaid, together with the reasons on which the same is founded.

By 1838, ch. 201, sec. 6, ante page 1661, the county commissioners who are substituted by 1826, ch. 217, ante page 1650, for the levy court, are directed to note on a rejected petition, their reasons for so doing.

**SEC. 2.** *And be it enacted,* That the said commissioners or a majority of them, before they proceed to act, shall take an oath or affirmation (as the case may be,) to execute the trust reposed in them by the commission to them issued, faithfully and without favour, affection or partiality.

**SEC. 3.** *And be it enacted,* That the commissioners or a majority of them before they proceed to execute the trust reposed in them by the commission to them issued, shall give at least three weeks notice, by advertisement set up at six public places in the neighbourhood, a copy of which shall also be set

Oath required of commissioners.

Advertisement required.