

ing the same, is or may be entitled; and the said sheriff shall return the inquisition of the said jury under their hands and seals and attested by his official signature and seal, to the next meeting of the said court thereafter; and that each and every of the jurors summoned by the sheriff aforesaid, agreeably to the provisions of this act, shall be allowed the sum of one dollar for each and every day he shall attend, in pursuance of such summons, to be levied and paid as herein after directed.

Damages
how to be
levied and
paid.

SEC. 8. *And be it enacted,* That the said levy court at the time of the final ratification of the return to them made as aforesaid, shall determine whether the damages so as aforesaid to be ascertained, shall be paid by the persons petitioning for the opening, straightening, widening, altering or amending the said road, or levied upon the county; or may direct the said damages to be paid by the petitioners and the county, in such proportion as the said court may deem just.

Secured
before
opening
road.

SEC. 9. *And be it enacted,* That in all cases of proceedings under this act, the damages so as aforesaid to be ascertained, shall be paid to the respective parties or their guardians, before the said road shall be opened, widened, straightened, altered or amended; and in case of the death of any of the parties concerned, and to whom damages may or shall be adjudged, after such adjudication and before the receipt of such damages, the same shall be paid to his, her or their executor or administrator; *Provided always,* that the signing of any petition presented to the said court under this act, shall not make any petitioner liable for the payment of the damages to be ascertained by the commissioners in manner aforesaid, or any part thereof.

Proviso.

Declared a
public road.

SEC. 10. *And be it enacted,* That when any road shall be opened, straightened, widened, altered or amended according to the provisions of this act, and well and sufficiently cleared and made passable, and the said court being satisfied by the examination and certificate of three disinterested free-holders of the said county, to be appointed by the said court, that the said road is thus well and sufficiently cleared and made passable, it is hereby declared that the same shall be for ever thereafter a public road, and shall be kept in repair as other public roads are.

Compensa-
tion to com-
missioners.

SEC. 11. *And be it enacted,* That the said commissioners shall be entitled to receive as a compensation for their services and attendance the sum of one dollar per day, which together with all costs and charges arising from the survey and other proceeding in such petition, as also all costs and expenses attendant upon the clearing and making passable as herein before directed, of any road, opened, straightened, widened, altered or amended under the provisions of this act, shall, in