

ings under their hands, to the levy court from which the commission issued, and of the reasons on which their opinion is founded, and if the said commissioners shall be of opinion that the said road ought not to be opened, or straightened, or shut up, they shall report their opinion to the levy court aforesaid, together with the reasons on which the same is founded.

Oath. **SEC. 2.** *And be it enacted,* That the said commissioners before they proceed to act as such, 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.

Notice. **SEC. 3.** *And be it enacted,* That the commissioners, or a majority of them before they proceed to locate any road proposed to be opened, straightened or shut up, shall give at least fifteen days notice to all the parties concerned, and the return of the commissioners setting forth that they have taken the oath and given the notice required by this law, or any words to that effect, shall be prima facie evidence that the same was done.

Restrictions. **SEC. 4.** *And be it enacted,* That it shall not be lawful for any road opened or straightened in virtue of this act to pass through the buildings, yards, gardens or orchards, of any person or persons, without the consent of the owner or owners thereof.

Levy court to determine. **SEC. 5.** *And be it enacted,* That if no objection be made to the return of the commissioners, the levy court may proceed to pass judgment thereon, and affirm or reject the same, or order it to be amended, in the discretion of the levy court.

Appeals. **SEC. 6.** *And be it enacted,* That if any person or persons shall conceive him, her or themselves aggrieved by the decision of the commissioners, or a majority of them, it shall and may be lawful for such person or persons to file in writing their objections to the return of the commissioners, at any time before the same shall be finally ratified by the said court, and the court shall thereupon proceed to hear testimony, if any shall be offered, and affirm or reject the said return, or order it to be amended, as to the court shall seem right.

Damages. **SEC. 7.** *And be it enacted,* That the said commissioners or a majority of them shall value and ascertain the damages that may be sustained by each and every person through whose lands the said road may pass, in case the application shall be for opening or straightening a road, by opening or straightening the same, taking into consideration the advantages and disadvantages of the same, if any; and the said commissioners shall make such ascertainment of damages a part of their return to the levy court, and the same with the rest of their proceedings shall be subject to the ratification, rejection or