

they are hereby authorized to issue a commission to three examiners, discreet and disinterested citizens and freeholders of said county, authorizing them, or any two of them, to meet upon the premises, and inquire and examine whether the convenience of the neighbouring country requires that the road should be opened, straightened, altered, or shut up, agreeably to the petition, and if in their judgment the convenience of the neighbourhood does not require the road to be opened, straightened, altered, or shut up, as prayed for, they shall make their return accordingly, and thereupon the proceedings shall end, and the petition be dismissed, and the petitioners shall pay all costs incurred; but if in their opinion the convenience of the neighbourhood does require such road to be opened, straightened, altered, or shut up, they shall make, or cause to be made, in their presence, and under their direction, a location of such road in the manner in which they shall deem best for the public interest and convenience, and also of such other portions of the adjacent country, roads and streams of water, as they shall deem necessary to a clear understanding of the case, and shall cause a plot of the same to be made out, with suitable explanations, and shall return the same, together with a full report of their proceedings, under their hands, to the said commissioners, together with the reasons whereon their opinion is founded.

Oath to be taken by examiner.

SEC. 2. *And be it enacted*, That the said examiners before they shall proceed to execute such commission, shall take an oath, or affirmation, as the case may be, before a justice of the peace of the county aforesaid, to be by him certified upon the said commission, that they will execute the said commission truly and faithfully, and without the influence of fear, favour, affection or partiality.

To give notice.

SEC. 3. *And be it enacted*, That the said examiners, or a majority of them, before they proceed to execute such commission, shall give four weeks public notice thereof to all persons concerned, by advertisement, describing the road proposed to be opened, straightened, altered or shut up, and appointing the day of meeting upon the premises as aforesaid, which advertisement shall be published for four successive weeks in all the newspapers printed in said county.

May ascertain damages.

SEC. 4. *And be it enacted*, That the said examiners, or a majority of them, shall value and ascertain the damages that may be sustained by the owner or owners respectively of the land through which such road as opened, straightened or altered, may pass, and that in assessing such damages they shall consider as well the advantage and benefit, as the loss and injury to be occasioned thereby, to each person; and the said examiners shall in their return specify the several sums