

of money (if any) by them estimated as the damages or compensation proper to be allowed to each of the owners of such land, and shall also specify the quantity of land belonging to them respectively to be occupied by such road.

SEC. 5. *And be it enacted,* That after the return shall be made as aforesaid, by the examiners, the commissioners shall appoint a day for final hearing, being not less than three months from and after that whereon such return shall be made, whereof publication shall be made in at least two newspapers published in said county for four successive weeks, warning all persons interested to appear before the said commissioners, to shew cause why the return of the examiners should not be ratified and confirmed. Day of final hearing.

SEC. 6. *And be it enacted,* That upon hearing the parties, and the testimony which may be adduced, the said commissioners may adjourn or postpone the case from time to time, or may permit such amendments to be made in the plot and return as to them may seem right and necessary, and shall have full power and authority to reject or confirm the return of the examiners, and to decree the road to be opened, straightened, altered, or shut up, or not, as they may think just and right between the parties, and consistent with the general good; and if they shall determine to confirm the return of the examiners, they shall have power to enlarge the damages proposed to be allowed to any person or persons as they may think right, but shall not in any case reduce or diminish them without the express assent in writing of the party. May reject or confirm return of examiners.

SEC. 7. *And be it enacted,* That if any owner or owners of the land through which such road is located, shall deem himself, herself or themselves, aggrieved by reason of the inadequacy of damages or compensation allowed to him or them by the decree of the said commissioners, the party so aggrieved shall have the right of appealing for redress to the county court, in which the case shall be tried by a jury upon an issue or issues framed under the direction of the court, and therein the party appealing shall be the plaintiff, and the commissioners of Washington county defendants, and the decision of such jury shall be final and conclusive; *Provided,* that the said right to appeal shall cease unless the party, shall, within one month after the date of the decree of the commissioners, file with the clerk of said commissioners, notice in writing that he, she or they, claim the right of appealing; and upon the receipt of such notice it shall be the duty of said clerk to transmit to the county court at their next term, the commission and return, plot and decree, and all other papers filed in the case, to be laid before the jury. Persons aggrieved may appeal. Proviso.

SEC. 8. *And be it enacted,* That in case the commissioners aforesaid should reject the return of the examiners, all the Costs.