

aforesaid old road, on as straight a direction as the ground will admit; and the said commissioners, or a majority of them, shall have full power to straighten and amend the said road at any place in the above described distance as they, or a majority of them, shall think necessary, and return a plot of the same to the levy court of Washington county, designating the amendments by them made; and the said commissioners, or a majority of them, shall have full power and authority to make contracts with the owner or owners of the land over which the said road shall pass, for any damage which the owner or owners of such land may sustain, and if the commissioners cannot agree with said owner or owners of such land for the damages sustained by reason of such amendment, then the said commissioners, or a majority of them, shall proceed to value and estimate the said land and damages which such owner or owners may sustain on account of said amendments so made, and shall report the same to the levy court of Washington county, and said levy court at their next levy thereafter shall levy the same on the assessable property of said county; but if any owner of the land so occupied, shall appear before the levy court before the levy is laid, and object to the valuation and estimate of the commissioners, and request a jury to value such land, and judge such damages as he or she may sustain on account of said amendment, the court shall direct the sheriff of Washington county to summon twelve freeholders of said county, not related to the owner or owners of the land on which the amendment is made; and the sheriff shall fix a day when the said jury is to attend on the land and value the same, and adjudge the damages if any, first taking an oath to ascertain the value of the land so occupied by the road as amended, and to assess the damages sustained by the person requiring such jury, in consequence of said amendment, justly and fairly, without favour or affection to any person, and to the best of their knowledge, which oath shall be administered by the sheriff; and the verdict given by the said jury shall be signed by the jurors respectively, and delivered to the said sheriff, and by him returned to the levy court, and the levy court shall levy the sum so adjudged on the assessable property of the said county, but if such valuation by the jury should be less than that by the commissioners before made, the owner or owners of the land, so requiring a jury, shall pay all the costs of such jury.

2. AND BE IT ENACTED, That the said commissioners, or a majority of them, in estimating the value of the lands occupied by any such amendment of the said road, or in estimating the damages occasioned by such amendment to any person, shall take into consideration all advantages and disadvantages by reason of opening said road.

In estimating damages advantages and disadvantages to be taken into consideration.

3. AND BE IT ENACTED, That when the said commissioners, or a majority of them, shall have returned a plot of the said road as by them amended to the levy court of Washington county, the said court shall cause the same to be recorded as other public roads in the said county are recorded, and the same shall thereupon be a public road, and shall be kept in repair in the same manner that other public roads in the said county are kept in repair; and the levy court of said county shall appoint a supervisor or supervisors to clear and open the said road, as amended by the commis-

Plot of road to be returned to levy court, &c.