

CHAP. 110. majority of them, concurring in opinion, shall have liberty to make, alter and change such road, as they may think beneficial to the public; *Provided*, that the said commissioners before they proceed to perform the duties required by this act, shall take an oath, to be administered by a justice of the peace of said county, that they will faithfully and impartially perform the duties required by this act, and that the person or persons applying for such alteration, shall pay all damages, costs and charges, that shall or may arise from making such alteration; *And provided always*, that it shall not be lawful to shut up, stop or obstruct, any road so altered or changed, before the new road shall be made and perfected, and received by the levy court of Worcester county; and it shall be the duty of such commissioners to make a return of their proceedings to the levy court, with a plot of the old road so far as is intended to be altered, and also of the new road, and whenever the return shall be received and confirmed by the levy court, and the new road shall be sufficiently made and opened to the satisfaction of the levy court, the levy court may direct the old road to be stopped, and the new road to be received and kept in repair as other public roads.

By 1818, ch. 30, the levy court may contract with any person for making and opening public roads or landings granted under this act.

Commissioners to be appointed to lay out roads

23. AND BE IT ENACTED, That the justices of the levy court of Worcester county be, and they are hereby authorised and empowered, on application in writing, signed by the majority of the inhabitants of any neighbourhood through which any road so prayed for may pass, shall appoint not for than five nor less than three commissioners, who shall be freeholders, and judicious men of said county, not related to the party applying for such road, nor holding land through which the said road shall be opened, and they, or a majority of them, shall proceed to lay out the road so as aforesaid ordered by the said levy court to be opened, in the manner and width that the levy court shall have directed, as well as the nature of the ground and other circumstances will admit; provided the levy court shall be satisfied that thirty days previous notice has been given by advertisement, set up at the court-house door in said county, also in the neighbourhood where the said road is intended to run, describing the same.

See note to section 22.

Plot to be returned

24. AND BE IT ENACTED, That it shall be the duty of the said commissioners, so as aforesaid appointed by the levy court of said county, or a majority of them, to cause a plot and certificate of said road, so opened, to be made and returned to the levy court of said county, whereupon it shall be lawful for, and the said levy court are hereby enjoined, to levy upon the assessable property of said county, a sum of money such as they may deem necessary for opening the said road, agreeably to the plot and certificate aforesaid; and the said road, when so opened, shall be, and the same is hereby declared to be, for ever thereafter a public road, and shall be kept in repair as other public roads are.

Lumberyards to be laid out in certain cases

25. AND BE IT ENACTED, That on applications for any public road, granted under the provisions of this act, in Worcester county, leading to navigable water, it shall be the duty of the commissioners, when directed by the levy court, to lay out a quantity of land for a lumber yard, at the discretion of the said levy court, not