

SEC. 5. *And be it enacted*, That the commissioners appointed in the first section of this act, before offering to contract, shall ascertain from the persons owning the road from the Walnut Tree Landing to Noah Rider's Mills, whether they are willing that said road shall be kept open, as a public highway, and upon said persons signifying their assent, the commissioners are hereby authorized to take a bond or bonds from them to that effect, which bond or bonds shall be recorded in the office of the clerk of Somerset county court.

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Relative to a  
road

SEC. 6. *And be it enacted*, That it shall be the duty of the aforesaid commissioners, to require and demand as a condition precedent, of the person or persons who may contract to build said bridge, that he or they shall so construct said bridge, as not to injure and obstruct the navigation of the stream by scows and flat bottomed boats.

Condition pre-  
cedent

SEC. 7. *And be it enacted*, That the aforesaid commissioners are hereby authorized and empowered to locate and determine the site of the bridge across the stream.

Locate

SEC. 8. *And be it enacted*, That the commissioners appointed by this act, before proceeding to discharge the duties of commissioners, shall take an oath before some justice of the peace, which oath shall be appended to their return to the levy court, to act impartially, and without favor, fear, affection or prejudice.

Oath required

SEC. 9. *And be it enacted*, That the commissioners appointed by this act, or a majority of them, are hereby authorized and required to value the damages if any, and report the amount of said damages, together with the terms and amount of the contract for building the bridge, to the levy court of Somerset county, who are hereby required to levy the said amount of damages on the assessable property of Somerset county, for the use of the owners of the land.

Damages

Levy therefor