

DEC. SESS.  
1814.

Proviso.

Plot--expences  
--repairs--how  
to be paid.

Damages--how  
to be paid

Proviso.

Oath of com-  
missioners.

Compensation  
of commission-  
ers--how to  
be paid.

and Levi Tyson, be and they are hereby appointed commissioners, for the purposes of this act; and that they, or a majority of them, are hereby authorised and required to survey and lay out a road, not exceeding thirty feet in width, beginning on the Bell Hill road, where it is crossed by the feeder of the Chesapeake and Delaware canal, to the place where the road from Elk Forge now intersects the Delaware line; *Provided always*, That the said road shall not be made to pass through the buildings, yards, gardens, or orchards of any person without the consent of the owner or owners thereof.

2. AND BE IT ENACTED, That it shall be the duty of the commissioners aforesaid, to cause a plot and certificate of said road to be made, and return the same to the levy court of Cecil county; whereupon it shall and may be lawful for the levy court of said county, to levy upon the assessable property of said county a sum of money, such as they may deem necessary, and to appoint an overseer, to open and clear said road, agreeably to the plot and certificate aforesaid; and the said road when opened and cleared as aforesaid shall be, and the same is hereby declared to be forever thereafter a public road and shall be kept in repair as other public roads in said county.

3. AND BE IT ENACTED, That the said commissioners, or a majority of them shall value and ascertain the damages that may be sustained by each, and every of the persons through whose lands the said road may pass, by opening the same, taking into estimation the advantages and disadvantages, if any, and the damages so ascertained, shall be levied and assessed as other county charges are, and shall be paid over to the persons, respectively through whose lands the said road may pass; *Provided nevertheless*, That no money shall be levied or assessed, for the purpose of discharging the damages that may be done to any person or persons petitioning this general assembly for said road.

4. AND BE IT ENACTED, That the said commissioners before they shall proceed to act, shall take an oath before some justice of the peace, that they will without favor or affection, prejudice or partiality, assess the damages sustained by the person or persons through whose lands the said road may pass by reason of opening the same.

5. AND BE IT ENACTED, That the said commissioners shall be entitled to receive, for their attendance and services, a compensation, in discharge of their duties of this act, not exceeding two dollars per day, to be ascertained by the levy court, which is hereby directed to be levied, collected and paid, as other county charges are levied, collected and paid.

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