

Dec Ses 1817. 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.

Lumber yards
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 exceeding three acres, to be bounded at the corners, for the use of the county; and valuation of damages shall be made by said commissioners for said lot of land, and when levied and collected, shall be paid to the persons entitled to receive the same; and the levy court may in like manner on petition as aforesaid for a public landing only, direct the said quantity of land to be laid out, marked and bounded for a public landing or lumber yard as aforesaid, and damages to be ascertained, levied and paid, as aforesaid; and a plot and certificate of all public roads and landings or lumber yards as aforesaid, shall be returned to the levy court, and by them transmitted to the clerk of the county court, to be by him recorded among the records of the county, and all such roads, landings and lumber yards, shall be kept in repair as other public roads are, for the free use of the county; *Provided nevertheless*, that there may be an appeal from the decision of the levy court to the next county court, and the decision of the county court shall be conclusive, and in case the county court shall confirm the decision of the court below, the cost to be paid by the person appealing, otherwise by the county; *Provided*, no road, landing, or lumber yard, shall be laid off under this law through the yard, garden, building or orchard, of any person or persons, without his, her or their consent.

Provisos

Damages.

26. *And be it enacted*, That the commissioners, or a majority of them, shall value and ascertain the damages that may be sustained by each and every person through whose lands the said road may pass, by opening of the same, taking into consideration the advantages and disadvantages of the same, the damages so ascertained shall be levied and collected as other county charges are, and shall be paid over to the persons respectively through whose lands the said road may pass, provided that no road shall be opened until the said damages shall be paid.

Oath

27. *And be it enacted*, That the said commissioners before they proceed to act, shall take an oath, before a justice of the peace, that they will, without favour, partiality or prejudice, assess the damages sustained by the persons through whose lands the said road, landing or lumber yard, shall pass or be opened by reason of opening the same.

Compensation

28. *And be it enacted*, That the said commissioners shall be entitled to receive a compensation for their services and attendance, not exceeding two dollars per day, and all officers of the county court shall be entitled to the same fees for all business done in virtue of this law, as are now or shall be hereafter received for like services, to be ascertained by the levy court of said county, which, together with all charges arising from the survey or attendance of witnesses, shall be levied, collected and paid, as other county charges are.

29. *And be it enacted*, That any person who shall have all that by law is given as a reward shall be paid from the same when a plot or certificate is transmitted to the clerk of the county court, and confirmed by the county court, and the same shall be transmitted to the clerk of the county court, and the same shall be recorded among the records of the county.

30. *And be it enacted*, That it shall be lawful for the county court, in their discretion, to order any person to be bound to the performance of the provisions aforesaid, either as respects the part thereof.

31. *And be it enacted*, That the county court shall meet on the first day of every year, or as soon thereafter as possible, and every year thereafter, into as many sessions as the county court shall think fit, and the sessions shall meet at such times and places as the county court shall think fit, and the county court shall meet at such particular divisions of the county as the county court shall think fit.

32. *And be it enacted*, That the county court shall be held in public manner, and the proceedings thereunder shall be published in the public manner, and the county court shall be held under this law, and the county court shall be held three weeks in every year, and the county court shall be held in the neighborhood of the place of doing business.

33. *And be it enacted*, That the county court may order any person to be bound to the performance of the provisions aforesaid, and the county court shall be held more than one year.

34. *And be it enacted*, That the county court shall be held out any road, and the county court shall be held three hundred dollars, and the county court shall be held who may bid, and the county court shall be held more sufficient, and the county court shall be held charged upon, and the county court shall be held keeping the roads, bridges and ferries, and the county court shall be held necessary.

35. *And be it enacted*, That the county court shall be held act, shall be held days after taking the oaths, and at any time thereafter, and the county court shall be held any person or persons, and the county court shall be held virtue of this law, and the county court shall be held member thereof, and the county court shall be held a scire facias, and the county court shall be held said recognizance.