

C H A P.  
LIV.

ers, or a majority of them, are hereby directed and empowered to open and lay out the said roads not more than twenty-five feet in width; which said roads shall be opened and laid out by the said commissioners in the straightest and best direction and manner, as they, or a majority of them, shall think proper, so as to admit of the least possible injury that may be to the person or persons through whose lands the said roads shall pass, and provided the same roads be not opened and laid out through the houses, yards, gardens, orchards or meadows, of any person or persons, unless by their consent first had and obtained by the said commissioners.

Roads to be returned, &c.

III. AND BE IT ENACTED, That the said roads, or any of them, when so opened and laid out by the said commissioners as aforesaid, shall, by the said commissioners, or a majority of them, be returned to and laid before the justices of Caroline county court at their next sitting thereafter, and shall be by the said court received and entered upon the records of the said court as public roads of the said county, the court being first satisfied of the consent of the persons respectively through whose houses, yards, gardens, orchards or meadows, any part of the said roads may pass, having been first obtained before the laying out and opening the same.

Commissioners may employ persons, &c.

IV. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall have power and authority to employ such persons as they may think proper to open and make good the said roads, and that all the expences in opening, laying out and making, the said roads, shall be levied on Caroline county, and collected in the same manner as other county levies and taxes are imposed and collected, with the usual commission for collection thereof; and the sum of money so collected as aforesaid shall be paid by the person collecting the same to the commissioners aforesaid, or to some one of them, to be applied to the purposes aforesaid.

And account with justices, &c.

V. AND BE IT ENACTED, That the said commissioners shall, after the completion of the said roads, account with the justices of Caroline county court for the expenditures of all sums of money which shall be paid to them for the purposes aforesaid, and shall pay over such balance as may remain in their hands to the justices of the levy court of the said county, or to such person or persons as they may appoint to receive the same, to be applied towards defraying the county charges of said county.

Roads to be kept in repair, &c.

VI. AND BE IT FURTHER ENACTED, That when the said roads are laid out and opened as aforesaid, and received as public roads as aforesaid, they shall be kept in repair and order as all other public roads in said county are.

Court, on application, to agree for damages, &c.

VII. AND, whereas the said roads may cause damage to the proprietors of lands through which the same may pass, and it is reasonable and just that compensation should be made to such of the said proprietors as choose to receive it, BE IT ENACTED, That upon application of any such proprietor to the county court of Caroline county, within two years after the road, by which he is injured, is entered of record, or in case of the infancy of such proprietor, upon application as aforesaid within two years after the age of twenty-one years, or within two years after his death, in case he dies during his infancy, the justices of the said court shall be empowered to agree with such applicant for the amount of the damages sustained, not exceeding the rate of forty shillings current money per acre; but if such agreement cannot be made, then the said court shall issue their warrant to the sheriff of the said county, commanding him to summon and return a jury of twelve good and lawful men of the said county, to be and appear before him on the premises, on a certain day in the said warrant to be expressed; which jury, on their oath, to be administered by the said sheriff, shall inquire whether the applicant is owner of the land through which the said road passes, and what damage he will sustain from the passing of the said road over his land, taking into consideration all conveniencies and inconveniencies, advantages and disadvantages, arising therefrom; and such sheriff shall return the inquest of the said jury, or of any eight of them agreeing, under his hand and seal, and the hands and seals of the said jury, to the next county court to be held for the said county, and the amount of the said damages and costs of the said inquest, with a commission as aforesaid, shall be assessed and levied on the said county in the same manner as other county levies.

C H A P. LIV.

Passed 28th of Dec. 1793.  
1791, ch. 75.

A Supplement to an act \* concerning petitions for freedom. Lib. JG. No. 2. fol. 69.

Repealed by 1796, ch. 67, provided that all rights acquired under it shall not be thereby affected or impaired.

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