

IV. And, whereas the streightening and amending old, and making new roads, may cause damage to the proprietors of land through which the same may pass, and it is reasonable and just that compensation should be made to such proprietors, **Be it enacted**, That whenever any old road shall be altered in its breadth or direction, or any new road laid out, as aforesaid, the justices aforesaid, or any five of them, shall be and they are hereby empowered and authorised to agree with the party injured for the amount of the damages sustained, but if such agreement doth not take place, then the said justices shall issue their warrant, directed to the sheriff of the county, commanding him to summon and return a jury of twelve good and lawful men of the said county, not interested or related to the party or parties, to be and appear before one of the said justices, on the premises, at a certain day in the said warrant to be expressed, which jury, upon their oath, or affirmation if a quaker, menonist or tunker, to be administered by some one of the justices aforesaid, shall inquire who is or are the owner or owners of the land over which any such road shall pass, and what damages such owner or owners will actually suffer from the passage of the road over the land as aforesaid, when the said road is a new one, or by widening or streightening said road, when it is a road heretofore laid out, taking into due consideration all conveniences and inconveniences, advantages and disadvantages, if any, arising from such circumstances, whether by the improvement of an old road, or making a new one; and such sheriff shall return the inquest of the jury aforesaid, under their hands and seals, and attested by his official signature and seal, to the next levy court to be held for the county, and the amount of damages therein expressed, if any, shall be paid by order of the said court, out of the monies to be levied as aforesaid; provided, that no new road shall be made through any building, enclosed yard, garden or orchard, against the will of the owner, nor shall any field, in which grain, hemp, flax, tobacco, or other cultivated vegetables, be laid open, until after the season for collecting and securing the crop.

C H A P.
LXXIII.To agree for
damages, &c.

V. **And be it enacted**, That the said justices shall and they are hereby required, at their aforesaid meetings at their levy court every year thereafter, to nominate, and by warrant under the hand of the clerk and seal of the county, appoint, fit and proper persons to be supervisors of the public roads in their county, within such divisions and districts as shall be specified and assigned by said court in the said warrants; and every supervisor appointed in virtue of this act shall give bond to the state of Maryland, with good security, in such sum or penalty as the said justices shall require, for the performance of his duty; and such supervisors, so appointed, shall continue to serve as such until a new appointment as aforesaid by the said justices at their levy courts, and in case of the death, removal, neglect, refusal to act, or misbehaviour, of any supervisor so appointed, the said justices, or any three of them most convenient, in the recess of the said court, may nominate and appoint, by warrant under their hands and seals, another person in his place, to serve for the residue of the time for which said supervisor so dying, removing, refusing to act, or misbehaving, was originally appointed; and the supervisors nominated and appointed as aforesaid shall clear, amend, and keep in good repair, the said public roads within their respective districts, and shall make, amend, and keep in good repair, all such bridges and causeways as are needful and requisite to be made and repaired; and to enable the said supervisors effectually to perform the said duties, they are hereby empowered, from time to time, to hire and employ, at reasonable wages, a sufficient number of labourers to work on the said public roads, and to hire and employ horses, carts, waggons, or other convenient carriages, for the purpose of carrying earth, gravel, stones, timber, or other heavy articles, necessary for amending the said roads, or making and keeping in repair the said bridges and causeways, and also to agree at reasonable rates for, and purchase, such wood and timber as may be necessary in making such bridges and causeways.

And appoint
supervisors,
&c.

VI. **And be it enacted**, That the warrants shall be made out to the supervisors aforesaid by the clerk of the said court, and by him delivered to the sheriff of the county, within ten days after the said warrant shall be ordered by the said court, and shall be delivered by the said sheriff to whom the same is directed, within

Warrants to
be made out
by the clerk,
&c.

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