

or hundreds, by some one inhabitant or inhabitants thereof, previous to their offering a petition or petitions, declaring their intention to apply to the justices of the levy court for the purposes aforesaid.

C H A P.
LII.

VI. And be it enacted, That whenever any old road shall be altered in its breadth or direction as aforesaid, the justices aforesaid, or a majority of them, shall be and they are hereby empowered and authorized to agree with the persons over whose land such road or roads may pass for the amount of the damages thereby 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, on their oath, or affirmation if a quaker, menonist or tunker, to be administered by some one of the said justices, shall inquire who is or are the owner or owners of the land over which any such road or roads so widened or laid out shall pass, and what damages such owner or owners will actually suffer from the passage of such road or roads over the said land, the said jury taking into consideration all conveniences and inconveniences, advantages and disadvantages, if any, arising thereby or therefrom by the improvement of said road, and such sheriff shall return the inquisition 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 road shall be made to run through any building, enclosed yard, garden or orchard, without the consent of the owner, nor shall any field in which grain, hemp, flax, tobacco, or other cultivated vegetables, are growing, be laid open until after the season for collecting and securing the crop growing in such field.

Agree for damages, &c.

VII. 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 such security as shall be approved of by the said justices, 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 be made 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 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 give bond and security as aforesaid, and 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; provided, that nothing in this act shall be construed to extend to framed or arched bridges exceeding fifteen feet in length, or to affect cases where persons are or may hereafter be obliged either by law or contract to keep bridges in repair; 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, not exceeding such wages as shall be fixed and established under the regulations before recited, 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 mending and keeping the said roads in repair, or making and keeping in repair the said bridges and causeways, and also to agree at reasonable rates for, and purchase,

And appoint supervisors, &c.