

LEVIN WINDER, Esq: GOVERNOR:

27

Dec. Sess.
1814.



Bridge, at or near the north east corner of Joseph Haine's orchard, and the dividing line of lots, Nos. 8 and 9, thence along said line between the lands of Joseph Haines and William Kirk, thence between the lands of said Kirk, Samuel Taylor and Mary Haines until it intersects the public road from the Baldfryer Ferry to Christianna Bridge, thence across said road, and through the lands of Job Haines, until it intersects the division line of lands of Job Haines, and the heirs of Elisha Kirk, and thence along said line, until it intersects a public road from the Rising Sun in West Nottingham, to Charlestown; *Provided*, That the said road shall not be made to pass through the buildings, yards, gardens or orchards of any person or persons without the consent of the owner or owners thereof.

Proviso.

2. AND BE IT ENACTED, That it shall be the duty of the commissioners aforesaid, or a majority of them, on or before the first Monday of September next, to cause a plot and certificate of said road to be made, and return the same to the levy court of Cecil county, at the first setting thereafter; and if the levy court of said county, upon consideration of all circumstances, shall be of opinion that the said road will be of advantage, then, and in such case the clerk of said county shall record the same plot and certificate; whereupon it shall and may be lawful for the levy court of said county, to levy upon the assessable property of said county such sum of money as they may deem necessary, and to appoint and employ 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.

Plot—expenses to be levied at the discretion of the court—supervisor &c.

3. AND BE IT ENACTED, That the levy court of said county shall appoint three disinterested persons, who 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 consideration the advantages and disadvantages, and return the same to the levy court; and the damages, so ascertained shall be levied and assessed as other county charges are, and shall be paid over to the persons respectively, who may be endamaged thereby; *Provided, nevertheless*, That no money shall be levied or assessed for the purpose of paying the damages aforesaid, until the said road is opened and cleared agreeably to the directions of this act.

Damages—how to be paid

Proviso.

4. AND BE IT ENACTED, That the persons so appointed by said court, before they proceed to ascertain the damages that may be sustained by opening said road, shall take an oath or affirmation, before some justice of the

Oath.