

CHAP. 270. fore the levy court of said county, and if the said court in their opinion shall consider the same to be advantageous to the public, the clerk of the county shall record the said road, and then and in that case the said road shall be deemed a public highway, and kept in repair as other public roads in said county are.

Damages to be ascertained

3. **AND BE IT ENACTED,** That the said commissioners shall value and ascertain the damages that may be sustained by any person or persons through whose lands the said road may pass, and the damages so ascertained shall be paid by those persons only who are willing to contribute thereto.

Road not to be opened until damages are paid

4. **AND BE IT ENACTED,** That the said commissioners shall not proceed to open and make the said road until the damages to be ascertained by this act shall have been paid.

Persons appointed to ascertain damages to take an oath

5. **AND BE IT ENACTED,** That the persons herein appointed, before they proceed to ascertain the damages aforesaid, shall take an oath, or affirmation, before some justice of the peace, that they will without favour, partiality or prejudice, assess the damages sustained as aforesaid by reason of opening the said road.

CHAP. CCLXXI.

Passed Feb 5, 1817 *An Act to appoint an Agent for the year one thousand eight hundred and seventeen.* Lib. TH. No. 5, fol. 444.