

sioners, and the said commissioners, or a majority of them, are hereby authorised to open, lay out and clear, at the expense of the petitioners, or any part of them particularly interested therein, or of any person or persons who may contribute thereto, a road, not exceeding twenty feet in width, in the best and straightest direction that the nature of the ground and other circumstances will admit of, from Mitchell's causeway, in Worcester county, to intersect the Soccum road leading to Broad creek at or near the line meeting-house; and the said road, when so opened and cleared as aforesaid, and the valuation herein after to be made shall be paid, or secured to be paid, to those concerned, shall be recorded among the records of Worcester county court, and be thereafter deemed a public road, and shall be kept in repair in the same manner as other public roads are kept in said county.

CHAP. 22.

3. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value what damages may be sustained by any person or persons through whose land the said road may pass by opening and clearing the same, and the said valuation shall be made and paid, or secured to be paid, before the commissioners shall proceed to open and clear the same; *Provided*, that if any person or persons through whose land the said road shall pass, or his, her or their guardian or trustee, shall conceive him, her or themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for any justice of the peace of the county aforesaid, on application of the party interested, to issue his warrant, under his hand and seal, directed to any constable of the county, commanding him to summon five freeholders, disinterested as to the said road, to appear, on a day to be appointed by said justice, on the land of the person making application as aforesaid, and the said freeholders, having first made oath before some justice of the peace for said county, that they will, without favour, affection or partiality, assess the damages sustained by the person or persons at whose request such inquisition shall be taken, by reason of opening the aforesaid road through his, her or their lands, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners shall have at least five days previous notice, and the said inquisition shall be final and conclusive, when the damages assessed as aforesaid shall be paid, or secured to be paid, by the commissioners aforesaid, to any person or persons interested in said valuation; *And provided*, that the said road shall not go through any houses, gardens, yards, meadows or orchards, unless with the consent of the owner thereof.

Damages to be ascertained.

Proviso.

CHAP. XXIII.

An Act annulling the Marriage of Archibald Alexander and Susanna Alexander. Lib. TH. No. 1, fol. 24. Passed Jan 25 1866

CHAP. XXIV.

An Act for the relief of William Thomas and John Carvil Hynson, junior, of Kent County. Lib. TH. No. 1, fol. 25. Passed Jan 25 1866

WHEREAS the said William Thomas and John Carvil Hynson, junior, by their petition to this general assembly have prayed, that an act of assembly may pass, authorising them to stop up so much

Preamble.