

CHAP. 186. extended as aforesaid, and the valuation hereinafter to be made shall be paid, or secured to be paid, to the person or persons injured by extending said street, shall for ever thereafter be deemed a public street, and be kept in repair as other streets in said precincts are kept in repair.

To ascertain damages.

Proviso.

2. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value, if required, what damages may be sustained by any person or persons through whose property the said street may pass by opening the same, and the valuation shall be made before the said commissioners shall proceed to open said street; *Provided always*, that if any person or persons through whose property the said street may pass, or his, her, or their guardian or trustee, shall conceive himself, herself 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 said county, on application of the party interested, or his, her, or their guardian or trustee, to issue his warrant, under his hand and seal, directed to the sheriff of the county, commanding him to summon twelve freeholders, disinterested in the opening of the said street, to appear on a day by the said justice to be appointed, on the property of the person or persons making application as aforesaid, for whose benefit such application shall be made; and the said freeholders, having first made oath before said justice of the peace, that they will, without favour, affection or partiality, assess the damages sustained by the person or persons at whose request, or for whose benefit such inquisition shall be taken, by reason of opening the aforesaid street through his, her or their property, shall thereupon proceed to assess and value the damages accordingly, of which the said commissioners, or a majority of them, shall have had at least five days notice, and shall return the damages so assessed, to the said justice of the peace, and such inquisition and valuation shall be final and conclusive; and the party or parties in whose favour the valuation ascertained by the said commissioners, or the damages ascertained by the said freeholders shall be made, shall be entitled to receive the same from the said commissioners, or a majority of them; and the said commissioners shall pay, or cause to be paid, within the space of six months after the assessment of such valuation or damages, and before they shall proceed to affect the lands and tenements of the person or persons concerned, and upon the payment of the money, or securing the same to be paid to the person or persons through whose property the said street is intended to pass, the said commissioners may open the said street through such person or persons property.

See November 1812, ch. 171.

CHAP. CLXXXVII.

Passed Jan 7, 1812. *An Act to confirm to Mary Wood, of Anne-Arundel County, certain Property therein mentioned.* Lib. TH. No. 3, fol. 267. A Private Act.

CHAP. CLXXXVIII.

Passed Jan. 7, 1812. *An Act to authorise Owen Evans, Guardian of the Heirs at Law of Jesse Brooks, deceased, to sell and convey certain Property therein mentioned, lying in Cecil County.* Lib. TH. No. 3, fol. 268. A Private Act.