

alley, or any part thereof, within the said city, in pursuance of this act, they shall appoint five assessors, who, or a majority of whom, shall, on oath or affirmation, value and determine the damages which any proprietor or proprietors over whose ground the same may pass will sustain thereby, taking into consideration all advantages and disadvantages; and said assessors shall apportion the amount of such damages to and amongst the several proprietors of property according to the benefits which, in the judgment of said assessors, they will respectively receive by the opening of such public street, lane or alley, or part thereof.

See 1817, ch 148.

6. **AND BE IT ENACTED,** That before the said commissioners of the western precincts(a) shall proceed to open any public square, street, lane or alley, or any part thereof, within the said precincts, in pursuance of this act, they shall appoint five assessors, who, or a majority of them, shall, on oath or affirmation, value and determine the damages which any proprietor or proprietors, over whose ground the same may pass will sustain thereby, taking into consideration all advantages and disadvantages; and said assessors shall apportion such damages to and amongst the several proprietors of property, according to the benefits which in the judgment of said assessors they will respectively receive by the opening of such street, lane or alley, or part thereof.

(a) By 1817, ch. 148, the powers, &c. vested in the commissioners of the western and eastern precincts, are vested in the mayor and city council.

7. **AND BE IT ENACTED,** That before the said commissioners of the eastern precincts(b) shall proceed to open any public square, street, lane or alley, or any part thereof, within the said precincts, in pursuance of this act, they shall appoint five assessors, who, or a majority of them, shall, on oath or affirmation, value and determine the damages which any proprietor or proprietors over whose ground the same may pass, will sustain thereby, taking into consideration advantages and disadvantages; and the said assessors shall apportion the amount of such damages to and amongst the several proprietors of property, according to the benefits which in the judgment of the assessors they will respectively receive by the opening of such street, lane or alley, or part thereof.

(b) See note to section 6.

8. **AND BE IT ENACTED,** That the said mayor and city council, and commissioners of the western and eastern precincts, respectively, shall cause to be collected the several damages awarded as aforesaid, in the same manner (and with an equal allowance of commission for collection) as the tax of the city of Baltimore is collected, and cause the same to be paid to the persons entitled thereto, but no ground shall be used, nor improvements removed, for the purposes aforesaid, until the damages assessed on account of such ground or improvements shall be paid or tendered to the proprietor thereof, or unless such proprietor shall give the assent thereto in writing; *Provided,* that the assent of guardians, on behalf of minors, shall be a sufficient authority for the purposes aforesaid, and for all other purposes in which their assent is required by this act.

9. **AND BE IT ENACTED,** That the mayor and city council of Baltimore, and the commissioners of the western and eastern pre-