

## CHAP. 64.

“as the case may be, that you will faithfully, justly and impartially, value and assess the damages that C. D. the person whose interest is affected, has sustained, or may sustain, by reason of stopping up Sinepuxent bay, or the breaking or forming any inlet or inlets through the beach in consequence thereof, according to the best of your skill and judgment, that in estimating and assessing such damages you will take into consideration, as well all injury that may be sustained by the said C. D. by reason of the actual overflowing or washing away of the soil of the said C. D. as all injury and damage that may and probably will be sustained by the said C. D. in consequence of being deprived of any or all privileges and advantages heretofore used and exercised by the said C. D. and those under whom the said C. D. claims, whether those privileges and advantages arise immediately from the lands of the said C. D. the lands of others, or vacant uncultivated lands, the particular situation of which was such as to render them beneficial to the said C. D. and that in such valuation you will not spare any person for favour or affection, nor aggrieve any person for hatred, malice or ill-will; so help you God;” and the inquisition thereupon taken shall be signed by the said sheriff, and each and every of the said jurymen, and returned by the sheriff to the clerk of his county, to be recorded; and the valuation so made shall be conclusive. and shall be paid by the said president and directors to the owner of the lands so injured as aforesaid, or his or her legal representative, within six months from the time of such inquisition taken and returned as aforesaid; and if the same be not paid as aforesaid, the party aggrieved, or his or her legal representative, may have an action on the case against the said corporation in Worcester county court for the recovery thereof, in which it shall be sufficient to declare that action hath accrued to the said party by virtue of this act, and the inquisition to be taken under it as aforesaid.

Proviso.

15. PROVIDED ALWAYS, AND BE IT ENACTED, That if the damages sustained, or to be sustained, by any minor, shall, at the instance of the guardian or guardians of such minor, be inquired into and assessed under this act, such minor shall nevertheless, at any time within two years after he or she shall attain the age of twenty-one years, be at liberty to suggest, in writing, to any two justices of the peace for Worcester county aforesaid, that further and other damages have accrued to him or her than those taken into consideration by the jury aforesaid, and such justices shall thereupon proceed, in the manner herein before directed, to cause a jury to be summoned to value and ascertain such further damages, in the same manner that the original damages were ascertained, and the party interested, or his or her legal representative, shall have the same remedy for the recovery thereof as herein before directed for the recovery of the said original damages.

16. AND BE IT ENACTED, That the persons incorporated by this act shall begin the work aforesaid as soon as the sum of five thousand dollars shall be subscribed, and carry on the same with diligence till it shall be completed, according to the directions of this act, within five years, and on failure or neglect to perform the same within the time aforesaid, this act to be null and void and of no effect.

As soon as \$5000 shall be subscribed work to commence.