

the Hagerstown academy, and thence in such direction as said commissioners, or any three of them, may deem advisable, until it intersects Jonathan-street; the street thus to be laid out to include the alley adjoining the lot now owned and occupied by John Albert.

1830.
CHAP. 76.

Sec. 2. *And be it enacted*, That the commissioners a-Plot to be re-foresaid, or any three of them, shall return a plot of said street, under their hands and seals, to the clerk of Washington county court, who shall record the same among the records of said county; and the said street shall forever thereafter be and remain a public street, and be under the control and direction of the moderator and commissioners of Hagerstown as other public streets and alleys are.

Sec. 3. *And be it enacted*, That the said commissioners, Damages. or any three of them, shall have power to assess damages to any of the landholders through whose property said street may pass, taking into consideration the advantages and disadvantages resulting to said property from the opening of said street, and if any person through whose land said street may pass, shall consider himself or herself aggrieved by the decision of said commissioners in the assessment of damages as aforesaid, such person shall have the right to appeal to the county court of Washington county, and to the benefit of a trial by a jury in the same, in as full and ample a manner as is given by any of the laws of this state incorporating companies for the construction of turnpike roads, and in such trial the party aggrieved shall be the plaintiff, and the persons who may contribute to the fund hereinafter mentioned shall be the defendants, and the decision of the jury shall be final and conclusive upon the parties, and the court shall have power to award costs to either party as they shall deem right and equitable.

Sec. 4. *And be it enacted*, That the said commissioners, Bridge over Antietam street may be erected. or any three of them, shall have power to superintend the building of a bridge across Antietam-street in said town, over which the contemplated street shall pass, if they shall deem the same necessary, and the moderator and commissioners of Hagerstown shall consent to its erection, and when the said bridge is finished it shall be and remain a public bridge, subject to the control and direction of the moderator and commissioners of Hagerstown, in the same manner that the public streets and other property belonging to the corporation of Hagerstown are; *Provided*, that Proviso all damages allowed to any land owner under this act, shall be fully paid before he is interrupted in the possession of his property, and that a sufficient fund or sum of money shall be raised by voluntary contribution to pay and satisfy the damages which shall be allowed to any person or persons as aforesaid, together with all costs, charges and ex-