

CHAP. 391.

And for ascertaining damages and benefits.

Sec. 2. *And be it enacted*, That the mayor and city council of Baltimore aforesaid, shall have power to provide for ascertaining the amount of damages which shall be sustained by any person or persons, by opening or widening the said lane, and for assessing such amount with the necessary expenses incident to the ascertainment of damages, and opening, extending and widening said lane, or any part of such damage and expenses which they shall deem proper, on the persons and property benefitted by opening or widening such lane, and for collection of the same: the said persons and property, and extent of benefit to be ascertained in such manner as the mayor and city council aforesaid, shall by ordinance direct; and they shall also provide by ordinance for granting appeals to Baltimore city court, and securing a jury trial before such court, to every person and corporation who shall, within a reasonable time, not less than thirty days after public notice, in two, or more newspapers of said city, of the ascertainment and return to the city register's office, the amount of damages and benefits, apply by petition to the said court, for such appeal or jury trial; and the said city court shall be, and is hereby empowered to do all such acts in relation to the trial and decision of such appeals, as the ordinances of the said mayor and city council, passed in pursuance of this act, shall direct.

Appeal provided.

And may purchase and sell houses &c that interfere.

Sec. 3. *And be it enacted*, That if it shall become necessary in widening the said lane, to destroy or remove, or take a part of any house or building, or lot of ground, and the owner thereof shall claim to be compensated for the whole of such house, or building, or lot of ground, the mayor and city council aforesaid shall provide for the full valuation thereof, to be ascertained in the same manner as if the whole house or building, or lot of ground, were necessarily to be destroyed, removed, or taken, with the same right of appeal as on other valuations; and such full valuation when finally decided on, shall be paid or tendered to the owner of such house or building, or lot of ground before any part thereof shall be destroyed, or removed, or taken; and the mayor and city council shall provide for the sale or other disposition of the materials of such house, or building, or of such lot of ground, and for applying the proceeds thereof in payment of the damages and expenses incurred by widening the said lane; *Provided however*, that nothing in this act contained, shall be taken to authorise the destroying, or removing any part of any house or building situate on the south side of German lane, aforesaid.