

cifically (not beyond one-half of such damage or expense) upon the assessable property of persons benefited thereby; and in the event that the same shall be so assessed upon the property of said persons, the amounts so assessed shall be collected by the said treasurer under the authority conferred upon him in Section 179, and the said board shall have power to pass all necessary ordinances to that end.

P. L. L., 1888, Art. 8, sec. 140. 1880, ch. 435.

189. If on opening or laying out any new street, lane or alley, or on straightening, widening or draining any street, lane or alley in the town, the Commissioners cannot agree with the owner of any land or property wanted for the purpose, for the purchase, use, occupation of the same, or if the owner be a *feme covert*, under age, *non compos mentis*, or out of Cecil County, application may be made to any justice of the peace for the county, who shall issue his warrant under his hand and seal, directed to the sheriff of the county, requiring him to summon a jury of twenty inhabitants of the county not related to the parties or in any wise interested, to meet on the land, or near to the property to be valued, on a day to be named in the warrant, not less than ten nor more than twenty days after the issuing of the same.

P. L. L., 1888, Art. 8, sec. 141. 1880, ch. 435.

190. If at the same time and place, any of the jurors summoned do not attend, the sheriff shall immediately summon as many jurors as shall be necessary, with the jurors in attendance, to furnish a panel of twenty jurors, and from them each party, or his agent, or if either be not present in person or by agent, the sheriff for him, may strike off four jurors, and the remaining twelve shall act as a jury of inquest of damages.

P. L. L., 1888, Art. 8, sec. 142. 1880, ch. 435.

191. Before the jury proceed to act the sheriff shall administer to each juror an oath that he will justly and impartially value the damages which the owner will sustain by the use or occupation of his property for the use hereinbefore named.

P. L. L., 1888, Art. 8, sec. 143. 1880, ch. 435.

192. The jury in estimating the damages shall take into consideration the benefit resulting to the owner from opening and laying out, straightening, widening and draining said streets, lanes or alleys, through, along or near to the property of said owner, but only in the extinguishment of his claims for damages; and the jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by the sheriff to the Clerk of the Circuit Court for the county, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shown, whether on account of insufficiency of damages or otherwise, and when confirmed it shall be recorded by said clerk at the expense of said president and commissioners.