

erty adjoining such improvements to the extent the same may be benefited thereby; provided, that the property owners may appeal from their decision in like manner as other similar appeals are taken to the Circuit Court of Kent county.

1908, ch. 171, sec. 20 (p. 891):

354. If, in opening or laying out any new street or alley, the said corporation cannot agree with the owner or owners of any land or property wanted for the purpose for the purchase, use or occupation of same, or if the owner is a feme covert, under age or non compos mentis, or out of Kent county, application may be made to any justice of the peace for said county, who shall thereupon issue his warrant, under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county, of legal age, not related to the parties, or in any wise interested, and from such panel of twenty jurors 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, to meet on the land or near the property to be valued, on a day to be named in the warrant, not less than ten or more than twenty days after the issuing of the same; that the sheriff shall, before the jury shall proceed to act, administer an oath to each that he will justly and impartially value the damages the owners will sustain by the use or occupation of the property for the uses hereinafter mentioned; that the jury, in estimating the damages, shall take into consideration the benefits resulting to the owner from the opening and laying out of said streets and alleys, through, along or near to the property of the said owner, 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 Kent county, and shall be confirmed by the said court at its next session if not sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of said corporation, and if the said inquisition shall be set aside by the Circuit Court for Kent county, the said court may direct another to be taken in the same manner as the first. That every inquisition shall describe the property taken or the bounds of land condemned, and the quantity or duration of the interest of the same therein valued, and such valuation, when paid or tendered to the owner or owners of the property taken, or his legal representative, shall entitle the said corporation to the estates, use and interest in the same so valued for the purpose aforesaid, as fully as if the same had been conveyed by the owner or his legal representatives.

1908, ch. 171, sec. 21 (p. 892).

355. The said corporation shall have the power to license and regulate the sweeping of chimneys and fix the rates thereof; to regulate the sweeping of any chimney, by neglect of which the said town may be endangered.