

No damages for improvements made after street located.

Ibid. s. 4.
Damages and benefits to be assessed.

Plat of street, &c.

and fronting on any street, avenue, alley or square, which shall be laid out as aforesaid, praying that such streets, alleys, avenues or squares may be opened, it shall be the duty of said county commissioners to direct said street commissioners to proceed to open such street, avenues, squares or alleys agreeably to the prayer of said owner or owners, and it shall not be lawful to open any avenue, street, square or alley without such application shall be made as aforesaid, and the owner or owners of the ground over and through which any public street, avenue, square or alley may run, or any public square be located, shall not be entitled to any damages for improvements thereon, unless such improvements shall have been made before the locating or laying out of such street, avenue, square or alley by said street commissioners, and no petition of the owner or owners of ground located as aforesaid shall be entertained by the county commissioners unless the street, avenue, or alley, or public square asked to be opened by said commissioners shall extend the distance of one square, that is from street to street or alley.

239. Before the said street commissioners shall proceed to open or lay off any street, avenue, alley or public square, in pursuance of this act, they shall, on oath or affirmation, value and determine the damages and benefits which any owner or owners, over whose ground the same may pass will sustain thereby, taking into consideration all advantages or disadvantages, and said commissioners shall apportion the amount of said damages, and all costs including the compensation allowed the street commissioners and surveyor to or among the several owners according to the benefits which, in the judgment of said commissioners, they will respectively receive by the opening of such street, avenue, alley or square, or part thereof, and to cause a plat of such street, avenue or square to be made by the county surveyor, or in such manner as prescribed in the first section of this act, containing the names and location of all owners on said street, avenue, alley or