

value the damages which the owner will sustain by the use or occupation of his property, for the uses and purposes herein-before mentioned.

1870, ch. 100

**205.** The jury, in estimating the damages sustained by the owner as aforesaid, shall take into consideration the benefit resulting to said owner by opening or laying said streets, lanes or alleys, through, along or near the property of said owner, but only in extinguishment of the claim for damages; and the said 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 said county, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed shall be recorded by said clerk at the expense of said president and commissioners.

Ibid.

**206.** If said inquisition be set aside, the said court may direct another to be taken in the same manner as the first.

Ibid.

**207.** Every inquisition shall describe the property taken or the bounds of the land condemned, and the quantity or duration of the interest in the same valued and condemned by said inquisition; and such valuation, when paid or tendered the owner of said property, or his legal representatives, shall entitle the said president and commissioners to the estate, use and interest in the same, so valued and condemned for the purpose aforesaid, as fully as if the same had been conveyed by the owner; and the valuation, if not received from the said president and commissioners when tendered, may at any time thereafter be received, without costs, by the said owner or his legal representatives.

Ibid.

**208.** The commissioners shall have power to determine upon and regulate all matters relating to the building of wharves in said village; to regulate the moving of rafts, arks and boats, and to prevent all nuisances and obstructions from being placed in the waters of the North-East river, in front of said village.