

CHAPTER 399.

Passed May 30, 1853. AN ACT amendatory to an act, passed at December

session, eighteen hundred and thirty-one, chapter one hundred and thirty-nine, incorporating the town of Boonsboro', and its additions in Washington County.

Authority to
open streets,
&c.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the burgess and commissioners of Boonsboro' and its additions, are hereby authorised and empowered to open and lay out streets, lanes and alleys, within the limits of said corporation, whenever a majority of the owners immediately interested, or touching such street, lane or alley required to be opened or laid out, shall petition for the same.

Examination
of premises.

SEC. 2. *And be it enacted,* That upon the reception of a petition so signed, the burgess and commissioners or a majority of them, shall upon a fixed day, of which the parties interested shall have notice, proceed to examine the premises, and if in their judgment the street, land or alley so petitioned for shall be necessary for the convenience of the petitioners, they shall proceed to condemn the ground necessary for such street, lane or alley, and carefully ascertain the advantages and disadvantages incurred by the owners of property injured or benefitted thereby, and lay the amount of the damages sustained by each person damaged, and assess the amount of damage upon the property of each person benefitted thereby, and make a record thereof on the books of the corporation for the inspection of whom it may concern.

Right of ap-
peal.

SEC. 3. *And be it enacted,* That if any person shall consider himself aggrieved by the decision of the burgess and commissioners either by the laying of inadequate damages, or by two high an estimate of advantages, the person or persons so complaining, shall have the power of appealing to an arbitration of three discreet citizens of said corporation, one to be chosen by the burgess and commissioners, one by the person or persons complaining, and the other to be selected by the two chosen as above stated, which three arbitrators shall after having sworn to decide impartially in the case, upon a fixed day of which the parties shall have notice, enquire into the merits of the case, and decide in the premises, and their decision shall be final, but no street, lane or alley, shall be opened under the provisions of this act, until all the damages are paid, unless by the consent of the person or persons entitled to receive them.