

sioners consistent with this act, the burgess shall cause said work to be done, and collect the expenses and cost thereof by distress in the manner that county taxes are distrained for in Carroll county.

SEC. 17. *And be it enacted*, That in the opening, establishing, widening or closing any roads, streets, lanes or alleys, all damage done or suffered thereby, if not agreed upon by the burgess and commissioners and the person damaged, shall be determined and assessed by three disinterested persons of some judgment, residents of said town, to be appointed by said burgess and commissioners, and who shall take an oath before a justice of the peace for said county that they will faithfully and fairly value the damage to be suffered by the person or persons interested, and shall return the damages assessed under their hands and seals, with a certificate of their oath, from the said justice of the peace, to the burgess and commissioners at their meeting immediately following said assessment of damages, which said assessment of damages shall be ratified or rejected by said burgess and commissioners, or a majority of them, and any person or persons feeling aggrieved by the determination of the burgess and commissioners may, within sixty days from such determination, appeal to the Circuit Court for Carroll county, and the judgment of said court shall be final; and upon any appeal being taken, it shall be the duty of the said burgess and commissioners to transmit the papers connected with the case to the clerk of said court, and before making any attempt to open, establish, widen or close any road, street, lane or alley, it shall be the duty of the burgess and commissioners to tender and pay, or cause to be tendered or paid, to the person damaged, the amount of damages assessed and finally awarded; providing, always, that no private property shall be taken for corporate use without compensation to the owner thereof.

How assessed.

Ratified or rejected.

Transmit papers.

SEC. 18. *And be it enacted*, That the burgess shall appoint annually a bailiff for said town, which appointment shall be subject to the approval of the commissioners; before said bailiff enters upon his duties he shall file with the clerk of said corporation a bond with security, to be approved by the burgess and commissioners, made to the said corporation for

Appoint bailiff