

CHAP. 476.
 Authority to
 provide for
 laying out,
 opening,
 grading, etc.,
 street and
 alleys.

any and what amount of value of damages will be caused thereby for which the owner possessor of the property through or over which such street or alley may pass, ought to be compensated and paid, and for assessing or laying either generally on the whole of the assessable property within said town, or specially on the property of the persons benefited by said improvement, the whole or any part of the damages and expenses which may be incurred in laying out, opening, grading, widening or extending such street or alley; to provide in case they determine to levy and assess the whole or any part of the damages and expenses upon the owners of the property in said town specially benefited by such improvement, for the apportionment among them of such damages and expenses so determined, to be levied upon them in due proportion to the amount of benefits by them respectively received; to provide for the condemnation of all land and property so taken for public use in opening, grading, widening or extending any street or alley as aforesaid, and to provide for the notice to be given in relation thereto for the payment of the damages so awarded, and for the collection and mode of payment under any action allowed by law for the benefits so determined to be assessed; and to pass all ordinances necessary and proper to the exercise and enforcement of the powers granted in this section; provided, that no land or property shall be taken under the powers granted in this section without the payment or tender of just compensation therefor to the party entitled to such compensation as agreed on with the owners of such property or awarded by jury; and provided further, that the ordinances regulating the condemnation of land or property lying wholly or partly within the taxable limits of the town of Middletown shall provide for a reasonable notice to the owner or owners thereof, and for appeals to the Circuit Court of Frederick county by any person interested, including the Burgess and Commissioners of Middletown, from the decision of any commissioners, jury or other persons appointed to value or assess damages for the taking of any such land or property or interest therein under the powers granted in this section.

SEC. 3. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved April 8, 1902.

CHAPTER 477.

AN ACT for the incorporation of the Town of Friendsville, in District No. 2 in Garrett County, and for the amendment of Article 12 of the Code of Public Local