

## CHAP. 225.

Oath of the assessors.

Directions in valuing.

Report prescribed.

Judgment of confirmation.

Or reconsideration.

Legal right vested.

Compensation to commissioners.

of him by this act, shall take an oath or affirmation, that he will faithfully and impartially, according to the true intent and meaning of this act, and to the best of his skill and judgment, estimate and assess the damages, (if any) which such owner or owners will suffer or sustain, by reason of taking any such lands or tenements, for the use of the said Canal, or navigation, and the locks, and works thereto belonging, or by any ways or means whatever; which oath or affirmation, the said freeholders shall severally have authority to administer to each other; and the said freeholders shall proceed to view and examine the premises, and in assessing damages shall take into consideration the advantages to be derived from the said Canal, passing through the lands of such owner or owners; and having estimated and ascertained the damages, (if any,) shall make a report, under their hands and seals, or the hands and seals of a majority of them, describing the lands by metes and bounds, or other particular description, and stating the amount of damages, (if any,) which such owner or owners will sustain by reason of taking such lands or tenements for the use of the said Canal or navigation, and the locks or works thereto belonging, or by any ways and means whatever, and vesting the same in the said Company, which said report shall be forthwith returned to the office of the clerk of said county court, and judgment of confirmation shall be entered by the said court, unless good and sufficient cause be shewn to the contrary; in which case the said court, in their discretion may refer the matter back to the same freeholders, or appoint other five freeholders to proceed in manner aforesaid, and assess the damages, if any; and when judgment of confirmation upon any report, made as aforesaid, shall be entered by the said court, then the said Lewis and Pocomoke Canal Company, paying to such owner or owners aforesaid, the damages assessed in such report aforesaid, or bringing the same into court for the use of such owner or owners, and paying the costs of the said proceedings, shall take, have and hold to them, and their successors and assigns, all and every, the lands described in such report, as fully and effectually, as if the same had been well and sufficiently granted to them by the several and respective owners thereof, by any legal and perfect mode of conveyance and assurance whatsoever, and notwithstanding any of the disabilities aforesaid; each freeholder, appointed as aforesaid, shall receive for every days attendance in the performance of the duties hereby required of him (if regular return be duly made) the sum of one dollar; with mileage, at the rate of three cents per mile, going and returning;