

and beneficial to the town; may restrain and remove any nuisance; may open and close streets, straighten and widen same, and improve the same, make crossways, establish the width and grade of sidewalks, and pave and set out shade trees thereon, and all damage done, suffered and incurred by opening, closing, straightening or widening said streets or alleys and any benefits or advantages accruing to any person by such opening shall be assessed and determined by three disinterested persons, residents of said town, to be appointed by the Mayor and Common Council, who shall, within twenty days after the notification of their appointment, take an oath before a justice of the peace within said town, that they will faithfully, fairly and without partiality or prejudice value and assess the loss and damage to be suffered and incurred by, and the benefits to accrue to any person interested in the property over which the streets or alleys are to be opened, closed, straightened or widened, and they shall give at least ten days' notice, by notice inserted in not less than one and not more than two newspapers published in said Prince George's County, if there be no such paper or papers published, and if not so published, then by notice posted in three public places in said town, of the name and place of meeting for the purpose of executing their commission; and they shall, within ten days after such valuation or assessment, return the same in writing under their hands and seals, with a certificate of their qualification before a justice of the peace, as hereinbefore provided, to the Mayor and Common Council of the town, which said valuation or assessment shall be ratified or rejected by them as their judgment may deem proper; and if any person shall feel aggrieved by the determination of the Mayor and Common Council in ratifying or rejecting said award or return, or in the amount of compensation awarded, or in any matter relating to the same, he may appeal within sixty days after said ratification or rejection to the Circuit Court for Prince George's County, and either party may be entitled to a trial by jury, and the judgment of said Court shall be final between the parties, provided that the person taking the appeal shall within twenty days thereafter cause to be delivered to the Clerk of the Circuit Court the award filed with the said Mayor and Common Council ratifying or rejecting the same, and all other papers relating thereto, but this section shall not be construed or taken to deprive or deny the right of the Mayor and Common Council of Capitol Heights to accept any streets or alleys which may be opened or dedicated by the owner of the ground in said street