

be sustained by the owners of property lying within or adjacent to the said street, by reason of the opening and extension thereof, (taking into consideration all advantages and disadvantages,) provided that no claim of compensation for damages shall be adjudged in favour of any property which shall not be taken in whole, or in part, for the use of the said street. CHAP. 203.

4. *And be it enacted.* That the said commissioners, after having ascertained the damages as aforesaid, and added thereto the commission allowed to the collector as hereinafter provided, and an estimate of the expense of executing their agency herein, including a reasonable compensation to their surveyor and clerk, whom they are hereby authorised to employ, which shall be paid to the parties respectively entitled to receive the same, of which said sum one third shall be paid by the mayor and city council of Baltimore, and they shall then proceed to assess the residue of the said sum upon the property benefited by the opening and extension of the said street, having regard to all circumstances, and having completed the said estimate and assessment, the said commissioners shall make a full and particular report thereof, under their hands and seals, to Baltimore county court, designating precisely the property ascertained to be injured, and the property assessed as benefited, and the names of the proprietors of both species of property, as fully as they can ascertain the same, and the relative or respective rights of such proprietors.

After ascertaining damages to assess upon property benefited, &c

5. *And be it enacted,* That the clerk of Baltimore county court shall publish notice of the report being returned as aforesaid, within five days after the said return, in all the newspapers printed in the said city, and if any person or body corporate shall conceive himself, herself or themselves, aggrieved by the award in such report, he she or they may petition the judges of Baltimore county court to review the same, who thereupon shall proceed to examine fully the subject, and for that purpose they are hereby authorised and empowered to summon witnesses, to call for papers, and to hear the representations of parties, and finally to decide upon the subject matter, and to alter, modify, and correct the said report, in all or any of its parts, as to them shall seem just and equitable, giving to all parties affected by any proposed modification, reasonable notice, the said court shall allow costs against the parties controverting the said report, to the clerk, in their discretion, and after all applications for a review shall have been disposed of, and the report of the commissioners shall have been finally approved of and passed by the said court, they shall order the said report, as finally acted on, to be recorded by their clerk, at the cost of the city, authenticated copies of which shall be good evidence in all the courts of this state, and elsewhere, provided that all petitions for a review shall be lodged in writing with the clerk within thirty days after his first publication of the report being returned, and the said court shall decide finally thereon, within ninety days from the day on which the said report is returned.

Persons aggrieved may petition judges of county court, who are authorised to examine fully the subject

6. *And be it enacted,* That at the expiration of thirty days after the report of the commissioners as aforesaid shall have been decided in Baltimore county court, the city commissioners and port wardens of the city of Baltimore, shall proceed to open and

After decision of court street to be extended