

the president and directors of the same company, or a majority of them, may from time to time determine, and that the said tolls be rated and paid in current money of the United States.

C H A P.
LXIV.

XII. AND BE IT ENACTED, That if any person or persons shall cut, or attempt to cut, destroy, or in any way impair, the said wharfage, bank or dam, he, she or they, shall forfeit and pay to the said president and directors, for the use of the said company, on conviction in a court of law, if free, the sum of two thousand dollars, or on the non-payment of the same within thirty days after such conviction, he, she or they, shall be sentenced to the wheel-barrow, to work on the public roads in Baltimore county for any term not exceeding fourteen years; and if a servant or servants, slave or slaves for life, to work on the roads in the county aforesaid.

Penalty for injuring the works, &c.

XIII. AND BE IT ENACTED, That it shall and may be lawful, and the said corporation shall have full and ample power and authority, to make by-laws and ordinances to compel the payment of the said tolls and duties, so set and imposed, as the said corporation may think right and most effectual, and the said tolls and duties shall become a perpetual revenue for the sole and exclusive benefit of the said corporation, and their successors, for ever.

Corporation may make by-laws, &c.

XIV. AND, whereas the waters may break and force their way across the beach, at such place and in such manner as to render the property of individuals less valuable than at present, and it is reasonable and proper that compensation should be made for any injury so done, BE IT ENACTED, That it shall and may be lawful for any person or persons who may think him, her or themselves aggrieved by reason of stopping the bay and opening an inlet as aforesaid, or for the guardian or guardians of any infant, whose interests may be affected thereby, to make application to any two justices of the peace for Worcester county, which said justices shall thereupon and they are hereby required to issue their warrant, under their hands, to the sheriff of the said county, to summon a jury of twelve good and lawful men of his county, not related to the parties, nor in any manner interested, to meet at or as near the place damaged as they conveniently can, which place shall be named by the said justices, on a day to be expressed in the warrant, not less than ten nor more than twenty days thereafter, and the sheriff, upon receiving the said warrant, shall forthwith summon the said jury, and when met, shall administer to each and every of the jurymen so summoned the following oath: "You, A. B. do swear, or affirm, as the case may be, that you will faithfully, justly and impartially, value and assess the damages that C. D. the person whose interest is affected, has sustained, or may sustain, by reason of stopping up Sinepuxent bay, or the breaking or forming any inlet or inlets through the beach in consequence thereof, according to the best of your skill and judgment; that in estimating and assessing such damages you will take into consideration, as well all injury that may be sustained by the said C. D. by reason of the actual overflowing or washing away of the soil of the said C. D. as all injury and damage that may and probably will be sustained by the said C. D. in consequence of being deprived of any or all privileges and advantages heretofore used and exercised by the said C. D. and those under whom the said C. D. claims, whether those privileges and advantages arise immediately from the lands of the said C. D. the lands of others, or vacant uncultivated lands, the particular situation of which was such as to render them beneficial to the said C. D. and that in such valuation you will not spare any person for favour or affection, nor aggrieve any person for hatred, malice or ill will; so help you God;" and the inquisition thereupon taken shall be signed by the said sheriff, and each and every of the said jurymen, and returned by the sheriff to the clerk of his county, to be recorded; and the valuation so made shall be conclusive, and shall be paid by the said president and directors to the owner of the lands so injured as aforesaid, or his or her legal representative, within six months from the time of such inquisition taken and returned as aforesaid; and if the same be not paid as aforesaid, the party aggrieved, or his or her legal representative, may have an action on the case against the said corporation in Worcester county court for the recovery thereof, in which it shall be sufficient to declare that action hath accrued to the said party by virtue of this act, and the inquisition to be taken under it as aforesaid.

Persons aggrieved may apply to two justices, &c.

XV. PROVIDED ALWAYS, AND BE IT ENACTED, That if the damages sustained, or to be sustained, by any minor, shall, at the instance of the guardian or guardians of such minor, be inquired into and assessed under this act, such minor shall nevertheless, at any time within two years after he or she shall attain the age of twenty-one years, be at liberty to suggest, in writing, to any two justices of the peace for Worcester county aforesaid, that further and other damages have accrued to him or her than those taken into consideration by the jury aforesaid, and such justices shall thereupon proceed, in the manner herein before directed, to cause a jury to be summoned to value and ascertain such further damages, in the same manner that the original damages were ascertained, and

Proviso.