

1812.

CHAPTER 186.

Passed Jan. 7,
1812.*An act to extend M' Eldery street, in the Eastern Precincts of Baltimore.*

Commissioners appointed. They shall return a plot to the county court.

BE IT ENACTED *by the General Assembly of Maryland,* That Thomas M' Eldery, Hezekiah Price, James C. Deu, John Hillin and William Pechin, be, and they are hereby appointed commissioners, and they, or a majority of them are hereby authorised and empowered, at the expense of the petitioners, or any person or persons who may think proper to contribute thereto, to extend, clear out and open M' Eldery street, until it intersects Green street; and the said commissioners are hereby required to make a plot of said street, as directed to be opened and extended, and return the same to the clerk of Baltimore county court, to be recorded among the land records of said county; and the said street, when opened and extended as aforesaid, and the valuation hereinafter to be made, shall be paid or secured to be paid to the person or persons injured by extending said street, shall forever thereafter be deemed a public street, and be kept in repair as other streets in said precincts are kept in repair.

Commissioners shall value damages. Persons aggrieved may apply to a justice of the peace—he shall issue a warrant for the summon of a jury of freeholders—their duties.

2. AND BE IT ENACTED, That the commissioners aforesaid, or a majority of them, shall ascertain and value, if required, what damages may be sustained by any person or persons through whose property the said street may pass by opening the same, and the valuation shall be made before the said commissioners shall proceed to open said street; *Provided always,* That if any person or persons through whose property the said street may pass, or his, her or their guardian or trustee, shall conceive himself, herself or themselves aggrieved by such valuation and assessment of damages by the said commissioners, it shall and may be lawful for any justice of the peace of said county, on application of the party interested, or his, her or their guardian or trustee, to issue his warrant under his hand and seal, directed to the sheriff of the county, commanding him to summon twelve freeholders, disinterested in the opening of the said street, to appear on a day by the said justice to be appointed, on the property of the person or persons making application as aforesaid, for whose benefit such application shall be made; and the said freeholders having first made oath before said justice of the peace, that they will without favor, affection or partiality, assess the