

1880, ch. 435.

139. They shall have power to provide for the payment of the damages and expenses of opening, widening, laying out, grading, paving, draining and repairing of streets, lanes and alleys in the town, by levying and assessing the same generally upon the whole of the assessable property of the town, or specially upon the assessable property of persons benefited thereby.

Ibid

140. If on opening or laying out any new street, lane or alley, or on straightening, widening or draining any street, lane or alley in the town, the commissioners cannot agree with the owner of any land or property wanted for the purpose, for the purchase, use, occupation of the same, or if the owner be a *feme covert*, under age, *non compos mentis*, or out of Cecil county, application may be made to any justice of the peace for the county, who shall issue his warrant under his hand and seal, directed to the sheriff of the county, requiring him to summon a jury of twenty inhabitants of the county not related to the parties or in any wise interested, to meet on the land, or near to the property to be valued, on a day to be named in the warrant, not less than ten nor more than twenty days after the issuing of the same.

Ibid.

141. If at the same time and place, any of the jurors summoned do not attend, the sheriff shall immediately summon as many jurors as shall be necessary, with the jurors in attendance, to furnish a panel of twenty jurors, and from them each party, or his agent, or if either be not present in person or by agent, the sheriff for him, may strike off four jurors, and the remaining twelve shall act as a jury of inquest of damages.

Ibid.

142. Before the jury proceed to act the sheriff shall administer to each juror an oath that he will justly and impartially value the damages which the owner will sustain by the use or occupation of his property for the use hereinbefore named.