

Baldwin County

VS

Perryantis

Given Charges

*Plaintiff Charge NO 2*

I charge you, Gentlemen of the Jury, that the measure of damages to be awarded the owner in this case is the difference in the value of this tract of land along which the public road is to be improved before and after the improvement is completed.

(133 So 281)

*Susan*  
*Julia J. Middlebury Jr*  
*Judge*

I charge you, gentlemen of the jury, that the proper rule for admeasurement of damages and compensation for taking of land for right of way for public highway is value of land actually taken, consequent damages to adjoining lands and value of enhancement to remaining lands by reason of construction must be considered.

(196 So 121)

Plaintiffs Charge No 2

Given

Jeffrey J. Mablebarney  
Judge.

Plaintiff's  
Charge #1

I charge you, Gentlemen of the Jury, that  
in fixing the amount of compensation to be  
awarded the owner of the lands taken for use  
as a right-of-way for a public road, as in  
this case, you must take into consideration  
the value of the enhancement to the remaining  
lands of this owner that the improvement  
of the public road may cause.

Given  
Jesse J. Massabury, Jr.  
Judge.