

1812.

opening and extending the said streets and road; and the names of the person or persons, and the sums of money which they shall respectively be obliged to pay, shall be returned under their hands and seals to the register aforesaid, of the said city, to be filed and kept in his office; and the person or persons benefited by the opening and extending of the said streets and the road, and assessed as aforesaid, shall respectively pay the sum or sums of money so charged and assessed, to him or them, with interest thereon, at the rate of six per centum from the time limited, for the payment thereof.

Lien.

3. AND BE IT ENACTED, That the sums of money assessed and charged to each individual benefited by extending and opening the aforesaid streets and road, shall be a lien upon and bind all the property so benefited thereby, to the full extent thereof.

Damages—  
persons not  
paid may in-  
stitute suits.

4. AND BE IT ENACTED, That in case the person or persons injured by opening and extending the said streets and road, shall not be paid the damages by them respectively sustained and assessed as aforesaid, within six months after the same shall be ascertained as aforesaid, he, she or they shall and may institute a suit or suits in the Baltimore county court, for the recovery thereof, in which it shall be sufficient to declare for money had and received, and this act, and the proceedings under the same, shall be evidence to support such action or actions instituted as aforesaid.

Damages—  
they must be  
secured to be  
paid before the  
streets or road  
are opened.

5. AND BE IT ENACTED, That the streets and road aforesaid, shall not be extended or opened through the property of any individual injured thereby, until the damages by them sustained and assessed as aforesaid, shall be first tendered, paid or secured to be paid to their satisfaction, together with legal interest thereon, from the time of ascertaining the damages by them respectively sustained.

Buildings or  
fences shall  
not be erected  
within the lim-  
its of said  
streets or road.

6. AND BE IT ENACTED, That the said commissioners, or a majority of them, shall within forty days after the passing of this act, give notice in two of the news-papers of the city of Baltimore, warning all manner of persons from putting up or erecting any building, fence or incumbrance of any kind within the limits of the said streets or road, which shall be staked off by the said commissioners, or a majority of them.

Public pro-  
perty shall be  
sold—pro-  
ceeds.

7. AND BE IT ENACTED, That that part of the present road to the ferry as aforesaid, as may be public property, and which may not be included in