

CHAP. 123.

City commissioners authorised to open and extend said street.

1. BE IT ENACTED, by the General Assembly of Maryland, That the commissioners of the city of Baltimore shall be, and they are hereby authorised and empowered to open and extend Saint Paul's-street, commencing at its intersection with North-street, as laid down on a plot of that part of the city and precincts made by Smiths, and Williams, and recorded in Baltimore county court, and running east forty-nine and one half feet wide until it connects with Fish-street, and so that the south side of Saint Paul's-street shall intersect Fish-street by a straight line running east; and the said street when so opened and extended, and the valuation and assessments hereinafter directed to be made shall have taken place, shall be deemed and taken, and is hereby declared to be a public street and highway for ever thereafter; and the said commissioners are hereby required to return a plot ascertaining the limits and extent of the said street when so opened and extended, to the register of the city of Baltimore, who shall receive and file the same as part of the plot of the city and precincts of Baltimore.

Freeholders to value damages.

2. AND BE IT ENACTED, That the sheriff of Baltimore county, after having given at least ten days notice in one of the newspapers of the city of Baltimore, shall, at any time before the first Monday of May next, summon twelve freeholders, inhabitants of the said city and precincts, not interested in the premises, who being first sworn to assess and value what damages shall be sustained by any person or persons whomsoever, by reason of the opening and extending the said street, shall proceed to assess and value what damages may be sustained by any person or persons whomsoever, by reason of opening and extending the said street, and shall also declare what sum of money each individual benefitted thereby shall respectively contribute and pay towards compensating the person or persons injured by opening and extending the said street; 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 benefitted by the opening of the said street, 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.

See 1816, ch. 103.

Money charged to persons benefitted shall be a lien upon property.

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

Persons not paid for damages sustained may institute suits in county court.

4. AND BE IT ENACTED, That in case the person or persons injured by opening and extending the said street 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 suits in 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.

See 1816, ch. 103.