

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.

CHAP. 34.

Money assessed to be a lien upon property benefitted.

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.

Damages not being paid within six months suits of recovery may be instituted

5. AND BE IT ENACTED, That in case any suit shall be instituted as aforesaid, for the recovery of any sum or sums of money in virtue of this act, if the person or persons instituting the same shall file a short note expressing the ground of such action, at least twenty days before the sitting of the court, and cause a copy thereof to be served on the defendant, or left at his place of abode, the parties shall proceed to trial at the court to which the writ shall be returnable, and no imparlance or appeal shall be allowed.

Persons instituting suits shall file short notes, and cause copies to be served on defendants

6. AND BE IT ENACTED, That the street 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 paid, or secured to be paid, to their satisfaction, together with legal interest thereon, from the time at which payment is limited to be made.

Street not to be opened until damages are paid

7. AND BE IT ENACTED, That in case the obstructions in the said street are not removed within twenty days after the money charged and assessed as aforesaid is paid, or tendered or secured to be paid as aforesaid, the city commissioners aforesaid are hereby authorised and directed to remove the same without delay, and to charge the expenses of such removal in equal proportions among the several persons benefitted by opening and extending the aforesaid street, according to the benefit which they may have been estimated to have received, agreeably to the assessment and valuation aforesaid; *Provided always*, that nothing herein contained shall be construed to authorise the jury aforesaid to assess any money or monies for the purposes of this act, on any person or persons whatever, excepting those holding property on said Green and Exeter-streets.

Removal of obstructions

Proviso.

CHAP. XXXV.

*An Act to alter and repeal such parts of the Constitution and Form of Government of this State as relate to the division of Allegany County into Election Districts.* Lib. TH. No. 3, fol. 371.

Passed Dec. 4.

This act was not confirmed as part of the constitution.

CHAP. XXXVI.

*An Act for the benefit of Cornelius Ennis, John Hancock and Charity Tarr, of Worcester County.* Lib. TH. No. 5, fol. 572.

Passed Dec 4

BE IT ENACTED, by the General Assembly of Maryland, That the justices of the levy court of Worcester county shall, and they are hereby directed and empowered, at their levy court annually,

Levy authorised for their support