

CHAP. 120. of the death, resignation, or refusal to act, of any of the commissioners named in this act, the vacancy or vacancies so occasioned, shall be filled up by the levy court of Baltimore county, at the request of the surviving or remaining commissioner or commissioners.

CHAP. CXXI.

Passed Dec 23

An Act for opening and extending Low-Street, in the Eastern Precincts of Baltimore. Lib. TH. No. 3, fol. 457.

Preamble

WHEREAS sundry persons of the city and eastern precincts of Baltimore, have represented to this general assembly, that the beauty and convenience of the said city and precincts require the opening and extending of Low-street, and have petitioned for the same; therefore,

Street may be opened and extended—its width and direction.

1. BE IT ENACTED, by the General Assembly of Maryland, That the commissioners of the eastern precincts of Baltimore shall be and they are hereby authorised and empowered, to open and extend Low-street, commencing at its intersection with Union-street, thence of the width of thirty-three feet north forty-seven degrees east, to a stake by the side of Diffenderfer's fence, thence of the same width, north forty-eight and a quarter degrees east, until it intersects Aisquith street at a mark on the fence; and the said street, when so opened and extended, and the assessment and valuation hereinafter directed shall have been made, 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 clerk of Baltimore county court, who shall receive and file the same in his office.

Jury to be summoned to estimate damages.

2. AND BE IT ENACTED, That the sheriff of Baltimore county, after having at least five days notice in one of the newspapers published in the city of Baltimore, shall at any time before the first day of November next, summon a jury to consist of twelve freeholders, inhabitants of the said precincts, not interested in the premises, who being first sworn to assess and value what damages will be sustained, and what benefit and advantages will be derived, by any person or persons whomsoever by reason of the opening and extending of said street, shall proceed forthwith 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 ascertain and declare what sum of money each individual benefitted thereby shall contribute and pay to the person or persons who will be injured by such opening and extension; and that the said jury shall forthwith and return, under their hand and seal, to the clerk of Baltimore county court, the names of the persons injured, and also those benefitted by the opening and extension aforesaid, with an estimate of the amounts which by the person or persons injured shall be received, and by the person or persons benefitted shall be paid.

Sums assessed, when to be paid.

3. AND BE IT ENACTED, That the person or persons who shall be adjudged by the said jury to be benefitted by the said opening and extending of said street, and shall be assessed as aforesaid, shall respectively, (within three months after the assessment shall be made,) pay the sum or sums of money so charged and assessed