

to him, her or them, with legal interest thereon, to the person or persons who shall have been declared in the manner aforesaid to be injured by the said opening and extension. CHAP. 121.

4. AND BE IT ENACTED, That the sum or sums of money assessed and charged to each individual benefitted by opening and extending the aforesaid street, shall be a lien upon. (for the benefit of the person or persons who by the said jury shall be declared as injured,) and shall bind all the property, which in the manner aforesaid shall be declared to be benefitted thereby, to the amount of the respective assessments thereon. Money assessed to be a lien on property benefitted.

5. 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 him, her or them sustained, and to him, her or them assessed in the manner aforesaid, shall be tendered, paid, or secured to be paid, with legal interest, in six months from the time of such assessment. Damages to be paid before street is opened

6. AND BE IT ENACTED, That in case the person or persons injured by opening and extending said street, shall not be paid the damages by him, her or them thereby sustained, and to him, her or them in manner aforesaid assessed and awarded, within six months after the same shall be ascertained as aforesaid, he, she or they, may recover before a justice of the peace, if the amount does not exceed the sum of fifty dollars, and if the amount exceed that sum then in Baltimore county court, against him, her or them, in manner aforesaid, who shall have been declared as benefitted, the amount which on him, her or them shall have been assessed, and which he, she or they shall have been in manner aforesaid adjudged to pay, and that it shall be sufficient for the plaintiff or plaintiffs, in such action or actions, to declare generally for money had and received, and give this act, and the proceedings under the same, in evidence, to support his, her or their action or actions. Persons not paid damages may institute suits

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 shall be paid or tendered, or secured to be paid as aforesaid, the said eastern precincts commissioners are hereby authorised and directed to remove the same without delay, and to charge and levy the expense of such removal in equal proportions among the several persons benefitted by the opening and extending of said street, according to the benefit which each may have been estimated to have received, agreeably to the assessment and valuation which shall have been made and returned in the manner as aforesaid by the jury aforesaid; and that the said commissioners shall immediately cause the same to be collected by the clerk, or some other person, to whom they are authorised to allow a reasonable compensation; and that if the amount, which by the said commissioners shall be assessed, shall be paid within three months, that then the said commissioners shall recover from each and every such person on whom they have assessed and charged in the manner aforesaid, the amount and amounts of such assessment and assessments, before a justice of the peace, if within his jurisdiction, and if not, before the Baltimore county court; which action or actions shall be brought in the name of the eastern precincts commissioners, and in which it shall be sufficient to declare for money had and received, and this act, and the proceed- Obstructions