

sons thus named shall name a fifth, neither of whom shall be an inhabitant of the city of Baltimore, or the precincts thereof, or seized or possessed of real property within said city or precincts; and that the five persons thus named shall forthwith proceed to assess and value what damages have been or shall be sustained, or shall sustain by reason of extending or wharfing out the said lots, taking all benefits and advantages into consideration, and shall also declare what sum of money each individual benefitted thereby shall contribute and pay towards compensating the said corporation, or any person or persons injured by extending and wharfing out the said lots, and shall make their award, under their hands and seals, or the hands and seals of any three or more of them, stating the amount of the injury suffered or to be suffered as aforesaid, and by whom, and the name of the person or persons benefitted as aforesaid, and the sums of money which they shall respectively be obliged to contribute and pay as aforesaid, and to whom, and when, and shall return their said award to the register of the said city of Baltimore, to be filed and kept in his office; and the person or persons benefitted and assessed as aforesaid, shall pay the sum or sums respectively so charged and assessed to them, with interest thereon from the time so fixed for the payment, in default of which an action or actions may be had and maintained on the said award in Baltimore county court for the recovery of the sum or sums respectively.

2. AND BE IT ENACTED, That the said five persons shall have full power and authority, and they are hereby required, to determine whether the said corporation, instead of being injured by reason of extending and wharfing out those lots in the manner they are to be done, taking all circumstances into consideration, are not benefitted thereby, and if so to what amount; which sum the mayor and city council shall cause to be paid to Christopher Hughes, the proprietor of said lots, his executors, administrators or assigns, within six months from the time the said award shall be filed with the said register.

To determine whether corporation is not benefitted, &c.

3. AND BE IT ENACTED. That if the said Christopher Hughes, or in case of his death, the person or persons claiming from or under him as aforesaid, shall refuse or neglect to choose two persons as by this act is provided, within ten days after he shall be notified by the said mayor of the choice of two persons by him as aforesaid, it shall then be lawful for the sheriff of Baltimore county, and he is hereby authorised and required, on the application of the said mayor, and proof of such refusal or neglect, to proceed within one month after such application and proof, to summon not less than twenty-three freeholders of Baltimore county, not being residents of the said city or precincts, or seized or possessed of real property within said city or precincts, and not interested in the premises, and twelve of whom, being first sworn to assess and value what damages have been, or shall be sustained by any person, or by the said corporation, by reason of extending and wharfing out the said lots, taking all benefits and inconveniencies into consideration, shall proceed to assess and value what damages have been or may be sustained by the said corporation, or by any person or persons whomsoever, by reason of extending and wharfing out the said lots, and shall also declare what sum of money each indi-

On neglect to choose sheriff to summon freeholders to value damages.