

**CHAP. 56.** extend a street in the city of Baltimore, commencing at the intersection of Green and North-streets, and continuing the same course of North-street until it intersects High-street, passing the same by a sugar-house lately erected by Messieurs Tool and Shutt; and the said street, when so opened and extended, and the valuation and assessment herein after 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 extended and opened, to the register of the city of Baltimore, who shall receive and file the same as part of the plot of the city of Baltimore.

Damages to be valued.

3. 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, 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 aforesaid street, (taking all benefits and inconveniencies into consideration,) shall proceed to assess and value what damages may be sustained by any person or persons whomsoever, by 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 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.

Streets assessed to be a lien on property benefitted by the extension.

4. 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 injured by extension may sue for damages.

5. 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.

Suits to be tried at the court to which writ is returnable.

6. 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.