

it shall and may be lawful upon a certificate of title from the City Solicitor, for the City Register or City Collector to receive from such person or persons an assignment for the sum or sums so assessed as damages aforesaid.

As to rule in assessing damages and benefits, *see*; *M. & C. C. of Balto. v. Smith*, 80 Md. 458.

1912, ch. 32.

175. Whenever the Mayor and City Council shall hereafter by ordinance direct the Commissioners for Opening Streets to lay out, open, extend, widen, straighten, grade or close up, in whole or in part, any street, square, lane, or alley, within the bounds of this city, the said Commissioners, having given the notice required by law of their first meeting to execute the same, shall meet at the time and place mentioned in said notice, and from time to time thereafter, as may be necessary, to exercise the powers and perform the duties required of them by said ordinance, and shall ascertain whether any and what amount of value in damages will be caused to the owner of any right or interest in any ground or improvements within or adjacent to the City of Baltimore by such opening, extending, widening, straightening or closing for which, taking into consideration all advantages and disadvantages, such owner ought to be compensated and the said Commissioners having ascertained the whole amount of damages for which compensation ought to be awarded, as aforesaid, and having added thereto an estimate of the probable amount of expenses which will be incurred by them in the performance of the duties required of them as aforesaid, in which they may include a sum sufficient in their judgment to cover the expenses and contingencies of litigation, and administration expenses, shall proceed to assess all the ground and improvements within and adjacent to the city, the owners of which, as such, the said commissioners shall decide and deem to be directly benefited by accomplishing the object authorized in the ordinance, aforesaid; and should the direct benefits, assessed as aforesaid, not be equal to the damages and expenses incurred, the balance of said expenses and damages shall be paid by the City Register, and provided for in the general levy, or out of funds derived from loans, if properly applicable thereto.

Alexander v. Mayor, 5 Gill, 383. *Moale v. Mayor*, 5 Md. 314. *Hawley v. Mayor*, 33 Md. 270. *Page v. Mayor*, 34 Md. 558. *N. C. Ry. Co. v. Mayor*, 46 Md. 428. *Brooks v. Mayor*, 48 Md. 265. *Central Savings Bank v. Baltimore*, 71 Md. 520-522. *Baltimore v. Rice*, 73 Md. 307. *Pitts v. Baltimore*, 73 Md. 338. *Friedenwald v. Baltimore*, 74 Md. 116. *Burke v. Baltimore*, 77 Md. 469. *M. & C. C. of Baltimore v. Smith*, 80 Md. 458. *Shanfelter v. M. & C. C. of Baltimore*, 80 Md. 491. *Gluck v. M. & C. C. of Baltimore*, 81 Md. 315. *Baltimore City v. Fear*, 82 Md. 254. *Baltimore v. Coates*, 85 Md. 531. *Gardiner v. Baltimore City*, 96 Md. 361. *B. & O. R. R. Co. v. Baltimore City*, 98 Md. 535. *M. & C. C. v. Cahill*, 126 Md. 596. *Patterson v. Balto.*, 130 Md. 654.

Damages from change of grade may be considered when part of lot is being taken. *Baltimore v. Garrett*, 120 Md. 608.

Destruction of access amounts to a taking.

Walters v. B. & O., 120 Md. 644.

But merely making the access inconvenient does not amount to a taking.

B. & O. v. Kane, 124 Md. 231. *B. & O. v. Kahl*, 124 Md. 299. *Baltimore v. Bregenzler*, 125 Md. 78.