

CHAP. 87.

Damages to be assessed on property benefited

3. *And be it enacted*, That the said commissioners, after having ascertained the damages, as aforesaid, and after having allowed thereto the commission to be allowed to the collector as hereinafter provided, as also an estimate of the probable expenses of opening said street, shall proceed to assess the whole damages to be sustained, and expenses to be incurred, by the opening of the said street, upon all the property benefited by the opening thereof, having regard to all circumstances; and having completed the said estimate and assessment, the said commissioners shall make a full and particular return thereof, under their Lord's and seals, to the office of the register of the city of Baltimore, designating precisely the property which they have assessed as being benefited, as also the names of the proprietors of both species of property, as fully as they can ascertain the same, a copy of which return, certified by the said register, under the seal of the city of Baltimore, shall be evidence of the truth of the several matters therein stated, in virtue of this act.

After notice given no claim for damages to be allowed

4. *And be it enacted*, That the said commissioners, before making the return to the register, as required by the third section of this act, shall give ten days notice thereof in two of the newspapers of the city of Baltimore, after which time no claim for damages shall be allowed, and the said return shall then be final and conclusive.

Sums assessed to be a lien on property benefited

5. *And be it enacted*, That the sums assessed upon the property benefited, shall be a lien thereon, and shall be collected by the city collector, who shall be allowed therefor such commission as the commissioners aforesaid shall judge reasonable, and shall be paid over by him to the mayor and city council of Baltimore, and by them to the persons entitled to receive the same; the said collector shall give twenty days notice of the time for payment of the sums so assessed, in two of the newspapers printed in the city of Baltimore, which time shall be in thirty days after the return of the said commissioners shall be filed as aforesaid; and should any of the sums assessed as aforesaid, not be paid within that time, the collector shall be and he is hereby authorised, to sell the property, or any part thereof, on which such assessment has been laid, giving not less than thirty days notice of such intended sale in two of the said newspapers; and the collector, on receiving the purchase money on such sales, shall execute a deed of conveyance therefor in favour of the purchaser or purchasers, which deed shall convey all the estate and interest of the person or persons assessed, and neglecting to pay as aforesaid, in or to such property; and after deducting the costs of sale, advertising, and so forth, the collector shall pay over the balance of such purchase money to the said mayor and city council, who shall pay over the said balance, after deducting the amount assessed on said property, to the person or persons entitled thereto, on demand, without interest.

Where doubt exists as to the right of any person to property, damages to remain in hands of the mayor, &c.

6. *And be it enacted*, That if there shall be any doubt with the said commissioners as to the right or claim of any person or persons, to any property lying within the said street so opened, or to be opened, and for which damages may be allowed, then and in such case, it shall be the duty of the said commissioners, in making the return as required in the third section of this act,