

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.

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Damages—
street shall not
be opened un-
til tendered,
paid or secur-
ed to be paid.

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 benefited, 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.

Damages—
how to be re-
covered.

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 benefited 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 their 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 [not*] be paid within three months, that then the said commissioners shall recover

Obstructions.

[* NOTE BY THE PRINTER.—The word, "not," is inserted in the original bill, but omitted in the engrossed bill.]