

under the same shall be evidence to support such action or actions, instituted as aforesaid.

5. 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 setting 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.

6. 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 them sustained and assessed as aforesaid, shall be first paid or secured to be paid to their satisfaction, together with legal interest thereon, from the time at which payment is limited to be made.

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 is paid, or tendered or secured to be paid as aforesaid, the city commissioners aforesaid are hereby authorised and directed to remove the same without delay, and to charge the expenses of such removal in equal proportions among the several persons benefited by opening and extending the aforesaid street, according to the benefit which they may have been estimated to have received, agreeably to the assessment and valuation aforesaid: *Provided always*, That nothing herein contained shall be construed to authorise the jury aforesaid to assess any money or monies for the purposes of this act, on any person or persons whatever, excepting those holding property on said Green and Exeter streets.

1812.

Persons instituting suits shall file short notes, and cause copies to be served on defendants.

Street shall not be opened until damages are paid or secured to be paid.

Removal of obstructions.

Proviso.

CHAPTER 35.

*An act to alter and repeal such parts of the Constitution and form of Government of this state, as relate to the division of Allegany county into election districts.*

Passed Dec. 4, 1812.

WHEREAS, It has been represented to this General Assembly, that great inconvenience has been experienced for the want of two additional districts in Allegany county: *for remedy whereof,*

Preamble.

SEC. 1. BE IT ENACTED by the General Assembly of Maryland, That all that part of the con-

A certain part of the consti-