

C H A P.
LXIV.

Commission-
ers to lay out
Charles-
street, &c.

II. Be it enacted, by the General Assembly of Maryland, That the city commissioners of the city of Baltimore shall be and they are hereby appointed and authorized to lay out and open the said Charles-street, from Camden-street to Barré-street, of such width and in such direction as to them shall seem right and proper; and the said street, when so laid out and opened, 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 directed to return a plot, ascertaining the extent and limits 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 said city.

Sheriff to
summon free-
holders, &c.

III. And be it enacted, That the sheriff of Baltimore county, after having given at least ten days notice in one of the news-papers of the city of Baltimore, shall, at any time before the first day of April 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 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 benefited 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 benefited by opening the said street, and assessed as aforesaid, shall respectively pay the sum or sums of money so charged and assessed to them, with interest thereon at the rate of six per centum from the time limited for the payment thereof.

Sums assessed
to be a lien,
&c.

IV. And be it enacted, That the sums of money assessed and charged to each individual benefited by extending and opening the aforesaid street, shall be a lien upon and bind all the property so benefited thereby to the full amount thereof.

Persons in-
jured may
sue, &c.

V. And be it enacted, That in case the person or persons injured by opening and extending the aforesaid street shall not be paid the damages by him or them respectively sustained, and assessed and charged as aforesaid, within six months after the same shall be ascertained and assessed as aforesaid, he, she or they, shall and may institute suits in Baltimore county court for the recovery of the same, 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 all intent and purpose whatsoever to support such action or actions instituted as aforesaid.

And proceed
to trial the
first court,
&c.

VI. 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 next before the sitting of the court, and cause a copy thereof to be served on the defendant, or left at his last place of abode, the parties shall proceed to trial at the first court to which the writ shall be returnable, and no imparlance or appeal shall be allowed.

Obstructions
may be re-
moved, &c.

VII. 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 to be paid, the city commissioners aforesaid are hereby authorized and directed to remove the same without delay, and to charge the expence of such removal to the owners or proprietors thereof.