

C H A P. LVI. assessed to him or 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 benefitted by extending and opening the aforesaid street, shall be a lien upon and bind all the property so benefitted thereby, to the full amount thereof.

Persons injured may sue, &c. V. AND BE IT ENACTED, That in case the person or persons injured by opening and extending the said street, shall not be paid the damages by them respectively sustained and assessed as aforesaid within six months after the same shall be ascertained as aforesaid, he, she or they, shall and may institute suits in Baltimore county court for the recovery thereof, 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 support such action or actions instituted as aforesaid.

To be tried at 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 before the sitting 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.

Not to be extended, &c. VII. AND BE IT ENACTED, That the street aforesaid shall not be extended or opened through the property of any individual injured thereby, until the damage 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.

Obstructions may be removed, &c. VIII. 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 expence of such removal in equal proportion among the several persons benefitted by the 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.

C H A P. LVII.

Passed January 12, 1805. A Further additional supplement to an act, entitled, An act to appoint commissioners to examine, survey and lay out, the road therein mentioned.

Preamble. WHEREAS it is represented to this general assembly, that the road contemplated to be laid out from the city of Baltimore, in a direction towards Liberty-town, to the Frederick county line, at or near Philemon Barne's plantation, has been improperly located, and it being the desire of a number of the inhabitants of Baltimore county that a correct location of the same be made, and that the said road be opened as soon as possible; therefore,

Road confirmed, &c. II. BE IT ENACTED, by the General Assembly of Maryland, That the road aforesaid, as surveyed, laid out and marked, from Gravelly-Hill, in Baltimore county, to Randall's-town, in said county, by the commissioners appointed under the act, entitled, An act to appoint commissioners to examine, survey and lay out, the road therein mentioned, passed at November session, seventeen hundred and ninety-nine, be and the same is hereby confirmed, and declared to be a public road and common highway.

Another road confirmed, &c. III. AND BE IT ENACTED, That the road aforesaid, as surveyed, laid out and marked, from Randall's-town to Allen's mill, thence by Nathan Randall's tavern, on the north side thereof, and by Little's tavern, on the south side of the same, and from thence to the line of Frederick county, at or near Philemon Barne's plantation, as surveyed, laid out and marked, by the commissioners appointed under the act, entitled, An act to appoint commissioners to examine, survey and lay out, the road therein mentioned, be and the same is hereby confirmed, and declared to be a public road and common highway.

Court to open the road, &c. IV. AND BE IT ENACTED, That the levy court of Baltimore county are hereby authorised and required, immediately to open the said road, as aforesaid located and laid out, and they are hereby