

1812

first be paid to said commissioners, to be used in paying damages as aforesaid, and executing the work by this act directed to be made and done; and the part to be paid to the corporation of the city of Baltimore shall be paid out of the last collections of the contributions by this act to be levied; and said assessors or a majority of them, shall, when they determine the amount of contribution to be levied, take into consideration the appropriation of the money which shall arise from the sale of said lots; and they shall make an estimate of the product of the sale of said lots, the probable amount, if the lots be not then sold, and the real amount as near as can be, if sold; and in determining the sum to be levied, they shall deduct from the amount of money necessary to pay damages and all other expenses, as aforesaid, a moiety of the money which, by said estimate, will be produced from the said lots to be sold as aforesaid; and if, at the completion of this work there be found any surplus money, the same shall be returned to said contributors in proportion to their several contributions; and if there should not be a sufficient sum of money, a further contribution shall be laid in the proportion aforesaid.

Money to be paid by the owners of property benefited shall be a lien on the property of said owners. Commissioners may institute suits for the recovery of the said sums.

13. AND BE IT ENACTED, That the said sums of money ascertained by the said assessors to be paid by the said owners of property benefited as aforesaid, shall be and the same are hereby declared to be a lien on the property of said owners respectively, on which said contribution shall have been levied, and which shall have been designated as aforesaid, for the full amount by them severally to be paid; and the said commissioners or a majority of them, or the survivors of them, may, and they are hereby authorised to institute in their own names, a suit or suits in Baltimore county court, for the recovery of the said sums of money from the person or persons by whom they are respectively due, 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.

Commissioners shall appoint a Treasurer—he shall give bond, &c.

14. AND BE IT ENACTED, That the said commissioners shall appoint a treasurer, who shall receive all money under their controul, and deposit the same as he shall receive it in some bank in the city of Baltimore, to be drawn out by an order signed by a majority of said commissioners; and said treasurer shall give bond in the penalty of fifty thousand dollars for the faithful performance of the duties incumbent on him, and shall be paid for his services such sum as shall be deemed proper by said commissioners.