

1812.

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 required to return a plot, ascertaining the limits and extent 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 city of Baltimore.

Sheriff may summon disinterested persons to assess damages—by whom to be paid.

2. 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 Monday of May 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 the opening and extending the aforesaid street, taking all benefits and inconveniences 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 such 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 the opening of said street, and assessed as aforesaid, shall respectively pay the sum or sums of money so charged and assessed, to him or them with interest thereon, at the rate of six per centum from the time limited for the payment thereof.

Money assessed shall be a lien upon property benefited.

3. 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.

Damages not being paid within six months suits of recovery may be instituted—this act, &c. shall be evidence.

4. 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