

capacity both to drain the houses connected with each sewer and such other houses as may be built abutting on that part of the street, alley or way in or near which said sewer is located, then the said Commission shall acquire, and it is hereby directed to acquire said sewer if the same can be obtained at a sum not exceeding fifty per cent. of what would be the cost of constructing and laying a sewer of the same kind in the same place, and if the same cannot be obtained, then the said Commission shall not be required to acquire said sewer, but said Commission may either build another sewer to take the place of said private sewer, or, in its discretion, may acquire said sewer for a sum exceeding fifty per cent. of said cost, or, in its discretion, may acquire said private sewer by condemnation in the method provided by said Chapter 349 of the Acts of 1904; provided, however, that when more than one private sewer shall exist in the same part of any street, alley or other way, then the said Commission shall be required to acquire, in the manner and upon the terms hereinbefore set forth, only that private sewer which in the opinion of said Commission will be best suited for said sewerage system, and provided that whenever any private sewer has been built since the passage of said Chapter 349 of the Acts of 1904, or shall hereafter be built upon any agreement with the Sewerage Commission that said sewer should thereafter be taken over by said Commission at a price or on terms agreed upon, then said sewer shall be so taken over by said Commission; and in the event of any disagreement or dispute between the owner or owners of property or properties or of private sewers, or their representatives, and the said Sewerage Commission as to the location of any lateral sewer or sewers intended for house connections, or the capacity, location or suitability of any private sewer, or the cost of constructing and laying a sewer similar to any private sewer, then the matter shall be referred to a board composed of the four city officials constituting the Board of Public Improvements of the City of Baltimore, under rules to be adopted by said Board, and the decision of said Board as to any of said matters so referred to said Board shall be final and binding on said Sewerage Commission and the party or parties appealing, and forty days before the work of construction of any lateral sewer or sewers intended for house connections shall be begun, said Sewerage Commission shall give notice by publication in three or more of the daily newspapers of Baltimore City of the general location of said sewer, and any property owner or other person interested in the location of said sewer or in any private sewer intended to be used or which might be used in connection with or instead of the intended sewer, may, within ten days after the first publication of said notice, apply to said Sewerage Commission for detailed information as to the location and construction of said sewer and as to what, if any, private sewers are intended to be used, and said person may, within said ten days, protest in writing to said Sewerage Commission against any part of the proposed plan of said sewer, and thereupon said Sewerage Commission, at some time within a period beginning ten days after said first publication and ending twenty days after said publication, shall make its