

P. L. L., 1888, Art. 15, sec. 62. 1882, ch. 201.

106. Whenever any owner of such property refuses or declines to act under the preceding section, or is unknown or inaccessible to said commissioners, or incompetent to contract, said commissioners may proceed as directed in the preceding section, after giving public notice of their intention by advertisement in some newspaper published in Kent county for three successive weeks before commencing such opening, widening or extension; except that the county commissioners shall appoint one of the parties to estimate and award said damages and advantages in the place of the owner of the property, and from such award appeals may be taken, as provided for in the preceding section.

P. L. L., 1888, Art. 15, sec. 63. 1882, ch. 201.

107. If any such extension, opening or widening of any street be through or over any cemetery or graveyard, before said commissioners proceed to open, widen or extend such street, they shall give notice by advertisement in some newspaper printed in Kent county, once in each of three successive weeks, warning all persons interested in that portion of said graveyard or cemetery, through or over which said street is to run, to remove the tombstones and remains of all persons buried in that portion of said yard, and upon the failure or refusal of the friends or relatives of such deceased persons to remove them, the said commissioners shall have said remains removed to some suitable place, and to record a full account of all such removals on their minutes of proceedings, and after such removal, they shall proceed as mentioned in the three preceding sections.

P. L. L., 1888, Art. 15, sec. 64. 1860, Art. 14, sec. 44.

108. The clerk, bailiffs and other officers, before entering upon the duties of their office, shall severally make oath before one of said commissioners that they will faithfully and impartially perform the duties of their respective offices according to the best of their skill and judgment, without favor, partiality or prejudice.

P. L. L., 1888, Art. 15, sec. 65. 1884, ch. 38.

109. The clerk of the county commissioners is authorized and required, under the penalty of one hundred dollars, to be recovered on presentment or indictment in the circuit court for Kent county, to make out an assessment of all the real and personal property within the limits of said town, (bank stocks, bonds, notes and other evidences of debt excepted,) and the names of the persons assessed therewith, and to furnish the same to the commissioners of said town between the tenth day of July and the tenth day of August in each year; and the said commissioners may levy on the property so assessed such sum of money as they may deem necessary, not exceeding thirty-five cents in the hundred dollars in any one year, and may appoint and qualify a person to collect the same; and if the collector of the county taxes for the election or other district in