

avenue or alley they want condemned, opened, graded and constructed, but no application shall be entertained by the County Commissioners for the opening, grading and construction of any street, avenue or alley for a less distance than one square; and when the application is presented the County Commissioners shall appoint one examiner or three examiners in the manner hereinafter provided for, whose duty it shall be to condemn, open, grade and construct such street, avenue or alley, or part thereof, in accordance with said application and the provisions of this subtitle of this Article; and before any examiner or examiners shall proceed to act in the premises, he or they shall take an oath or affirmation before some justice of the peace of the State, in and for Baltimore County, that he or they will well and truly assess the damages and benefits happening, arising or issuing from the condemnation, opening, grading and construction of said street, avenue or alley, or such portion thereof as may be applied for, and will in all respects act without prejudice or partiality in said matter; after taking such oath or affirmation, the examiner or examiners shall give at least ten days' notice by publication in one or more newspapers published in Baltimore County and one newspaper of general circulation published in Baltimore City that such application has been made, and, after giving such notice, the examiner or examiners shall cause to be made an explanatory plat of said street, avenue or alley, or part thereof, and of the property bounding and fronting on the same and of the property adjacent thereto if it should be deemed advisable by said examiner or examiners to do so; and all lands for which damages have been awarded or to which benefits have been assessed and any house or improvement of any kind on the bed of the same, which it shall be necessary to remove, in whole or in part, shall be shown on said plat; and if grades have not been established on said street, avenue or alley, or portion thereof applied for, the examiner or examiners shall have grades established in the manner provided for by Section 589; the examiner or examiners shall then proceed to value such damages as may happen to arise from the condemnation and opening of said street, avenue or alley, or portion thereof, and to make an estimate of the probable cost of opening, grading and construction of the same and of the probable cost and expenses of the proceedings in the matter, including the per diem of the examiner or the examiners, and shall assess the gross amount of such damages, the probable cost of the opening, grading and construction and the probable amount of cost and expenses of the proceedings in the matter, including the per diem of the examiner or examiners, in such proportions as may be fair and equitable, as benefits, upon all the lands in said county which shall, in the opinion of the examiner or examiners, be benefited by the condemnation, opening, grading and construction of said street, avenue or alley, or any part thereof; and as soon as the explanatory plat and necessary profiles of grades are made and the examiner or examiners shall have completed the valuation of damages and estimated the probable cost of opening, grading and construction and of the proceedings in the matter and of the amount that will be required to be assessed as