

And in the event that any person or persons so appointed shall not be ratified by the Council, or shall fail to take the oath hereinafter prescribed within the time limited therefor, or shall for any reason fail, refuse or be unable to serve on such commission, then the Mayor shall appoint another or others to serve in the place of such person or persons, which appointment shall be made in the same manner and subject to the same ratification as provided in the first instance.

And the Mayor, after the appointment, ratification and acceptance of said Commissioners, shall issue a commission in writing under his hand to them authorizing them to exercise the powers and commanding them to perform the duties hereinafter required of them.

(4) The three persons so appointed shall within ten days after the date of their commission, take oath before a Justice of the Peace of Wicomico County, that they will faithfully, fairly and without partiality or prejudice, estimate, in money value, what amount, if any, of damages will be caused by the proposed improvement to any property over, through, by or near which the proposed improvement will be made, or to the owner, or occupant of said property or of any right or interest therein, and will likewise estimate, in money value, what amount, if any, of benefit will accrue by reason of the proposed improvement to any property over, through, by or near which the proposed improvement will be made, or to the owner or occupant of such property or of any right or interest therein. The said persons, or a majority of them shall then constitute and be a commission with the powers and duties hereinafter specified.

(5) The said commission shall within ten days after having taken the aforesaid oath give at least ten days' notice by advertisement printed in one or more newspapers published in the City of Salisbury, of its purpose to meet and estimate damages caused and benefits accruing by reason of the proposed improvement, and of the day, hour and place of such meeting.

(6) The said commission shall meet at the time and place mentioned in the notice given by it, and at such other times as they may from time to time adjourn to, and shall proceed:

(a) To estimate in money value what amount, if any, of damages will be caused by the proposed improvement to any property over, through, by or near which the proposed improve-