

1811.

missioners may think benefited thereby, in such proportions as they the commissioners shall think correct and proper; and the said commissioners are hereby authorised and empowered to cause the amounts of such expenses to be collected of and from such person and persons on whom the same may be assessed, by distress and sale of the goods and chattels of such person or persons, but no sale shall be made unless ten days previous notice thereof be given; and if no goods or chattels can be found, then on a warrant before a justice of the peace, if the amount does not exceed the sum of fifty dollars, or if the amount exceeds that sum, then by an action of debt or attachment in Baltimore county court.

Relative to grading, leveling, &c and the removal of nuisance. Clerk may superintend them.

9. AND BE IT ENACTED, That on application being made to the commissioners in manner specified in the seventh section of this act, for the purpose of grading, paving, repairing or leveling any street, square, lane or alley, or to remove nuisances or obstructions therefrom, it shall and may be lawful for their clerk, under their direction, to superintend the same; and the expenses incurred by them or him to levy and assess on the property benefited, and the same to collect in manner and form provided by the eighth section of this act.

Persons aggrieved may apply to commissioners—they shall appoint persons to confer with others, and assess damages. Persons appointed shall take an oath.

10. AND BE IT ENACTED, That if any person or persons shall think himself, herself or themselves injured or likely to be injured, in any of their improvements, by any grade established by the said commissioners, it shall and may be lawful for them, at any time within ten days thereafter, to hand in writing, their objections, to the commissioners, who shall forthwith appoint two persons, owners of real or lease-hold property, and not interested, to meet and confer with two other persons with like qualifications, to be appointed within ten days, by the person or persons complaining, to adjudge the damages if any, and assess the same on the property benefited by such grade; taking into consideration the public good, the advantage and disadvantage from any such grade, to the parties therein concerned; and in case the aforesaid persons cannot agree, they are authorised to make choice of a fifth person with like qualification, whose decision, or that of a majority of them, shall be made within ten days after their appointment, and shall be final and conclusive; but before they act, they shall take the following oath or affirmation: "I do solemnly swear or affirm, (as the case may be) that I will faithfully and honestly try and determine