

1811.

what damages C. D. (as the case may be) has or will sustain from the grade affixed by the commissioners of the eastern precincts, on the street, square, lane or alley, (as the case may be,) and if any, that I will impartially, without favor or affection, equally assess the same on the property on said street, square, lane or alley benefited, to the best of my skill and judgment, and conformable to the act of assembly, so help me God". A copy of which proceeding shall be filed and recorded by the clerk of the commissioners, whose duty it shall be to attend and administer the oath, but before the said street, square, lane or alley shall be either dug down or filled up, the said damages adjudged and assessed, shall be levied or recovered in the manner prescribed by the eighth section of this act, and in either case, this act shall be given and received in evidence, and the decision thereon shall be final and conclusive.

11. AND BE IT ENACTED, That the commissioners be, and they are hereby directed, when they contract for paving of any street, lane, or alley that requires to be filled up, to give thirty days notice in writing, to the owners or possessors of the lots on such streets, lanes or alleys, or publishing the same five times in some one of the newspapers of Baltimore, to make their election or choice of filling up their foot-way at the same time that such streets, lanes or alleys are filling up; and in case the owners or possessors aforesaid shall neglect to fill up said foot-ways at the time aforesaid, that then the said commissioners shall, and they are hereby directed to have the same filled up to such extent and in such manner as they may think fit, at the proper cost and charge of such owner or possessor so neglecting, to be recovered by distress, or by warrant if the amount do not exceed the sum of fifty dollars, or if it exceed that sum, then by an action of debt or attachment in Baltimore county court.

When commissioners contract for paving of any street, &c. they shall give 30 days notice to owners of lots, to make their choice of filling up their foot-ways. Persons neglecting to have them filled up shall pay expenses—how to be recovered.

12. AND BE IT ENACTED, That the owners or possessors of any house or lot, in front of which the street, lane or alley has heretofore been paved, or hereafter may be directed to be paved, are required to pave, amend or repair the foot-way in such manner, and in such time as shall be directed by the said commissioners: *Provided* Thirty days notice be given by the said commissioners, in writing, or in some newspaper of the city of Baltimore to said owner or owners, possessor or possessors; and in case such owner or owners, possessor or possessors of such

Owners of lots, &c. are required to pave, amend, and repair foot-ways in such manner and time as may be directed by commissioners under a certain provision. Owners refusing to comply shall