

be taken within the time designated, or if the appeal or appeals should be dismissed, it shall be the duty of the Highways Commissioners to ratify and confirm the statement, plat and profile as returned and deposited by the said examiner or examiners; and after the ratification and confirmation of such statement, plat and profile by the Highways Commissioners, or by the decision and order of the Circuit Court, as the case may be, the said examiner or examiners shall at such time as he or they may deem advisable, advertise for proposals for opening, grading and constructing such street, avenue or alley, or portion thereof applied for, by publication once a week in one or more newspapers published in Baltimore county, and twice a week in one or more newspapers of general circulation, published in Baltimore city, for two successive weeks; and after examining such proposals said examiner or examiners shall, at such time as may be deemed proper to do so, award the contract to the lowest responsible bidder, and upon such terms and conditions as may be deemed proper and judicious; and the said examiner or examiners are hereby empowered to take and receive a bond of any contractor, with a penalty to the Highways Commissioners, for the prompt and faithful performance of the work to be done, and of the contract entered into.

388. Whenever it shall be necessary in order to effect the object proposed, that a house or improvement of any kind, or any part thereof, should be taken, used, destroyed or removed, the examiner or examiners shall examine the matter, and if in their opinion it should be practicable to remove such house or improvement to any other part of the grounds of the owner thereof, and to put the same in as good condition and repair as it was in before such removal, the said examiner or examiners shall make an estimate of the probable cost of such removal and repairs, and if the owner should agree in writing to such removal and repairs, then the cost of such removal and repairs shall be paid out of the benefits assessed, and the payment of the cost for such removal and repairs shall be recognized and taken in lieu of, and as a full payment and discharge for any damages to such house or improvement; but if it should be deemed practicable by the examiner or examiners to remove and repair such house or improvement, or if the owner thereof should not agree in writing to such removal, then damages should be assessed and awarded for the whole of said house or improvement, and when the benefits assessed shall be credited with the damages awarded, or the damages awarded shall be credited with the benefits assessed and paid, as provided for by the succeeding section, and the proceeding of the examiner or examiners shall be fully ratified and confirmed as provided for by this sub-title of this article, the examiner or examiners, after