

*Fifth*—The Commissioners shall be sworn by the County Judge to make the assessments of benefits and damages to the best of their judgment and ability, without fear or favor, and that they have no interest in the controversy nor in any of the land within the limits designated, which oath shall be filed with the County Clerk as part of the proceedings. A copy thereof and of the order of appointments, certified by the Clerk, may be delivered to said Commissioners as their authority.

*Sixth*—Said Commissioners shall visit and inspect the premises to be assessed and the premises for which damages are claimed, with a committee from their body, appointed for that purpose by the Board of Supervisors.

*Seventh*—Said Commissioners shall have power, and it is hereby made their duty, to examine, under oath, which any one of them is hereby authorized to administer, any witnesses produced before them by any party, touching the matters to be investigated, and such other witnesses as they may deem necessary to fully acquaint themselves with the actual amount of benefits and damages which will result to the respective parties interested in the proposed change.

*Eighth*—Said Commissioners, having determined the damage which will be sustained by each petitioner, over and above all benefits, by the completion of the proposed change, shall proceed to assess the whole amount thereof, together with the costs, charges, and expenses of the proceedings, including the compensation to the Commissioners for their services, to be taxed and allowed by the County Judge, ratably, upon the several lots of land benefited within the limits designated in said notice, so that the same shall be distributed according to the benefits produced by such change as nearly as possible.

*Ninth*—Said Commissioners shall make their report in writing, and shall subscribe the same and file it with the County Clerk. In their said report they shall describe each piece of property which will sustain damage, stating the amount of the damages which it will sustain, over and above all benefits; and they shall also give a brief description of each lot benefited within the designated limits, the name of the owner, if known, and the amount of benefit assessed against the same. In case the three Commissioners do not agree, the award agreed upon by any two of them shall be sufficient. On the filing of said report, the County Clerk shall notify the Board of Supervisors, in writing, of the fact, and thereupon the said Board shall, by ordinance, confirm or reject said report. If they confirm it, the grades of the streets shall be changed as contemplated, and the Clerk of the Board of Supervisors shall notify the County Court that the Board have confirmed the report. The County Court shall thereupon enter up judgment against each lot assessed for benefits, describing the same as accurately as can conveniently be done. Upon which judgment an order of sale may issue by order of the Court, commanding the Sheriff of said city and county to collect the amount therein mentioned by sale of the lot assessed, in the mode prescribed by law for the sale of real estate, the proceeds to be paid by the Sheriff to the Treasurer of the City and County of San Francisco, who shall place the same to the credit of the Street Department Fund, and the same shall be paid; and the Treasurer of said city and county shall pay the amount collected for damages into the County Court, which shall hold, invest, and distribute the same in the same manner as provided in section nineteen of an Act entitled "An Act to Declare and Regulate the Power of the Board of Supervisors of the City and County of San Francisco, to take Private Lands for certain Public Improvements, and to prescribe the Manner of its Execution," approved April fourth, eighteen hundred and sixty-four. All such judgments shall be in favor of the City and County of San Francisco, and shall be a lien upon the lot until the same is paid; but no sale shall be made nor execution issued until the County Court shall determine that said work has been completed.

SEC. 3. Before entering up judgment, the Court shall fix a day for hearing parties who may feel aggrieved by reason of any of the proceedings, but no objection shall be considered except such as are specifically set forth in writing by the parties; and all errors, omissions, and irregularities not specifically set forth shall be deemed to be waived. Any party dissatisfied may, within thirty days after judgment against him or his lot, or the order to pay the damages assessed, appeal to the Supreme Court to review the matter complained of, and the appeal shall be taken in the manner and with the same effect as prescribed in, and in all respects be in conformity to, "An Act to Declare and Regulate the Power of the Board of Supervisors of the City and County of San Francisco, to take Private Lands for certain Public Improvements, and to prescribe the Manner of its Execution," approved April fourth, eighteen hundred and sixty-four; and all subsequent proceedings shall be in conformity therewith and with the same effect.

SEC. 4. All acts and proceedings under this law shall be liberally construed, and the judgments and proceedings of the County Court shall be construed like judgments and proceedings of Courts of general jurisdiction.

SEC. 5. The Sheriff shall collect fees for the execution, in case an execution issues, as in other cases; but each party may pay to the Treasurer the amount of the judgment against him, and the Treasurer's receipt being produced to the County Court, satisfaction of the judgment shall be entered by the Clerk. The Clerk shall not charge any fees for the proceedings unless execution issue, in which case he shall be authorized to charge five dollars for each execution, to be collected by the Sheriff on the execution.

"Cleanliness is next to Godliness!" Go and Bathe at 113 Geary.

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