

giving notice in one or more newspapers published in Baltimore county, and in one newspaper of general circulation published in Baltimore city, once a week for three successive weeks, of the time and place, manner and terms of sale, shall sell the materials of any house or improvement of any kind which it shall be necessary to remove in whole or in part, at public auction to the highest bidder for cash, to be paid on the day when full possession is given of the materials sold; and the examiner or examiners, on receiving the price or sum so bid, shall give a receipt for the same to the purchaser thereof; and the said examiner or examiners, are duly empowered to take and receive a bond of the purchaser of such materials, with a penalty to the Highways Commissioners that the price for which the same was sold shall be duly paid at such time as the said examiner or examiners is or are prepared to deliver possession of the same; and the said purchaser shall remove, within thirty days thereafter, from the beds of the street, avenue or alley, all such materials so sold, and all rubbish or other obstructions in said street, avenue or alley, occasioned thereby; and in the event of the purchaser failing to comply with the terms of said sale, the examiner or examiners shall resell the said materials at the risk of the former purchaser, giving not less than ten days' notice of said sale in one or more newspapers published in Baltimore county, and in one newspaper of general circulation published in Baltimore city; and the expenses of the said sale and notice shall be paid by the original purchaser; and if the material so sold shall have remained in the bed of the street, avenue or alley for the space of thirty days after such resale, then the examiner or examiners shall cause the same to be removed and the expenses so incurred shall be paid out of the assessment for benefits; and it shall be the duty of the Highways Commissioners to cause a suit for the recovery of said expenses to be forthwith instituted against the person by whose default the said materials and obstructions have been suffered to remain, and the amount so recovered shall be paid into the assessment fund for benefits; and all moneys that may be received by the examiner or examiners from the sale of any house or improvement after deducting the cost and expenses of advertising and of sales, shall be paid into the said fund.

389. Whenever any assessment for benefits for condemning, opening, grading and constructing any street, avenue or alley, or part thereof, or a thoroughfare, exceeds the amount of damages awarded, the assessment for benefits may be credited with such amount of damages, and the difference shall be the amount due and collectible for benefits, and such credit shall be recognized and taken as a full settlement, discharge and payment for all such damage; and any lands for which damages may