

said mayor and council ; provided, that the mayor shall give ten days' notice, at least in writing to each property owner specially interested, of the time set for final action on return of said examiners, and before proceeding to open, widen, extend, straighten or close any such street, alley, square, drain or waterway, the mayor and council shall pay or tender to the person, his agent or guardian or representative the amount of damages so awarded ; and if any one shall feel aggrieved by the decision of the mayor and council in any matter relating to their decision, he, she or they may appeal to the Circuit Court for Worcester County by giving written notice of said intention within twenty days from said decision filed with the clerk of the council, of their desire to appeal, and on the filing of the said notice it shall be the duty of the said clerk to deliver the papers connected therewith to the clerk of the Circuit Court, and the same proceedings shall be had on the appeal as in cases of appeal from judgments of justices of the peace, provided, that the mayor and council may refuse to open, extend, widen, grade or straighten any street, alley, square, waterway or drain upon the action of said court, by paying all the legal costs of said appeals. All benefits assessed by virtue of the foregoing provisions shall be liens upon the respective lots or parcels of ground on which they are assessed from the time of the final ratification of the aforesaid return, and shall be collected as taxes are collected or may be collected by action at law, on appeal, the court or jury may alter the award so returned, whether damages or benefits, and award costs in its discretion.

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SEC. 18. *And be it enacted*, That for the purpose of carrying out the foregoing powers, and for the preservation of the health, comfort, convenience, morals, cleanliness, peace and good order of the community, and for the protection of the lives and property of the citizens from fire, or disease, and to suppress or cause to be suppressed, abated or discontinued any and all nuisances within the limits of said town, the mayor and council may pass any and all ordinances and by-laws, from time to time, deemed necessary, and to enforce and insure the observance of the said ordinances in addition to an action in debt, or such other civil remedies as may exist in such cases by law for the recovery of fees, fines and penalties thereto affixed, they may affix thereto reasonable fines, and in default of payment of any fine and costs, so imposed, they may provide for the imprisonment of the offender, for a period not exceeding thirty days in the town lockup, or the county jail if there be no lockup, or for his commitment to the custody of the policeman under sentence to hard labor upon the streets not exceeding ten days.