

next preceding the election and are entitled to vote at any State election, shall be qualified to vote for said town commissioners.

103. Each town commissioner, before performing any of his duties, shall make oath before some justice of the peace in said county that he will truly and faithfully and without partiality execute all the duties appertaining to his office, which affidavit shall be attached to said certificate of election and filed among the papers of said town.

104. The town commissioners shall have power to appoint a clerk and treasurer, and prescribe their duties and compensation, and to appoint one or more police officers, and prescribe their obligations, duties and pay, and said town commissioners shall have power to confer authority on said police to perform all the duties of a constable, except so far as they relate to debts and other civil process; *Provided*, such debts be not due on any fine, penalty or tax which said town commissioners may have power to impose.

105. The said town commissioners shall have power, upon the return of a jury as hereinafter provided, to open and lay out any street, lane or alley in said town, which they may deem necessary for the convenience of the citizens of said town, and to condemn the same to public use; but, before the said town commissioners shall so condemn any land or property to public use, they shall apply to the county commissioners, who shall appoint a jury of twelve discreet, impartial and disinterested voters of the third election district of said county, which jury shall view the land and property in said town and assess the advantages and damages, in money, by such proposed streets, lanes or alleys, to the different persons owning property in said town, and make a return to the said town commissioners of the money value of such advantages and damages, and upon said return the town commissioners shall have the power to assess and levy upon the taxable property of said town such a sum as may be necessary to open such streets, lanes or alleys, and for the purpose of making other improvements in said town; but such levy shall not be more than twenty-five cents in the hundred dollars for any one year.

106. Should any property holder in said town be dissatisfied with said assessment and levy of damages, he may appeal to the