

paving or repairing shall be directed to be done, shall not reside in said town, the tenant or person occupying the said house, lot or part of a lot, or who shall have the care thereof, shall cause the same to be done, and the money expended thereon by the direction of the said Burgess and Commissioners shall be allowed by the owner or owners, and deducted from the rent due or to become due; and if the tenant or person having the care of such house, lot, or part of a lot shall refuse or neglect to do so, it may be done by the Burgess and Commissioners, and the expenses and costs may be recovered by a distrain and sale of such property.

Tenant to cause to be done.

SEC. 13. *And be it enacted*, That the said Burgess and Commissioners may open and lay out streets, lanes, and alleys within the limits of said town whenever a majority of the owners immediately interested, or touching such streets, lanes or alleys directed to be laid out, shall petition for the same.

Open and lay out streets.

SEC. 14. *And be it enacted*, That upon the reception of such petition so signed, the Burgess and Commissioners or a majority of them, shall upon a day fixed (of which the parties interested shall have notice) examine the premises, and if, in their judgment, the street, lane, or alley petitioned for shall be necessary for the convenience of the petitioners, they shall condemn the same as necessary for the purpose, and carefully ascertain the advantages and disadvantages incurred by the owners of the property injured or benefitted thereby, and lay the amount of the damage sustained by each person damaged, and assess the amount of advantage upon the property of each person benefitted thereby, and make a record thereof in the books of the corporation for the inspection of any person interested.

In case of reception of petition.

SEC. 15. *And be it enacted*, That any person may appeal from the decision of the Burgess and Commissioners in assessing such advantages to the Circuit Court of Washington county, within the time allowed by law for appeals from judgments of Justices of the Peace, and shall, in said court, be entitled to a trial by jury as in other cases.

May appeal from the decision.