

2. AND BE IT ENACTED, That in fixing the time for opening, or causing to be opened, the said streets, lanes or alleys, the said commissioners shall give such reasonable time as to them shall seem proper, having due regard to the crop which may be growing thereon, as well as other circumstances connected therewith.

CHAP. 132.
Time for opening same to be given

3. AND BE IT ENACTED, That any person or persons holding enclosed any of the said streets, lanes or alleys, or any part thereof, (or his, her, or their guardian or guardians, if a minor or minors,) and who shall have been notified as aforesaid, shall refuse or neglect to open and clear the same by the time specified in the said notice, such person or persons shall forfeit and pay, for every such refusal or neglect, the sum of twenty dollars, to be recovered before a justice of the peace, in the name of the said commissioners, in the same manner that debts of a similar amount are now recoverable by law, and shall moreover forfeit and pay the further sum of five dollars for every thirty days they shall continue such refusal or neglect, to be recovered as aforesaid; Provided nevertheless, that if the person or persons so refusing or neglecting, shall make such excuse therefor as to the said commissioners may appear reasonable, then the said commissioners, or a majority of them, may in their discretion allow such further time for opening and clearing the said street, lane or alley, as they in their judgment may deem sufficient, which extension of time shall be given in writing, and signed by the said commissioners, or a majority of them.

Penalty for refusing to open streets, &c.

Provided

4. AND BE IT ENACTED, That the said commissioners, or a majority of them, be and they are hereby authorised and empowered, to make such enlargements of the said town as may be assented to by the holders of the adjoining lands, which assent shall be in writing, and evidenced by the signature of such owners, to the plot herein required to be made and recorded therewith, and shall lay out, mark and bound, such enlargement, the lots, streets, lanes and alleys thereof, as they may deem necessary.

Town may be enlarged

5. AND BE IT ENACTED, That for the purpose of establishing the true original location of the said town, the said commissioners are hereby authorised to issue subpoenas for witnesses, and to compel their attendance and testimony in the same manner as witnesses summoned to give testimony before a justice of the peace, and may allow them the same compensation for their attendance.

Original location to be ascertained

6. AND BE IT ENACTED, That for the purpose of defraying the expenses to be incurred in the execution of this act, the said commissioners, or a majority of them, shall cause to be levied on the real property in said town, such sum of money as shall be sufficient for that purpose, which levy shall be made by reference to the county assessment in said county, and be collected by such person as the said commissioners shall appoint for that purpose: and in case of refusal or neglect to pay the said tax by any person chargeable therewith, it shall be recovered in the name of the said commissioners, in the same manner as the forfeitures herein before mentioned are recoverable.

Levy authorized on town

7. AND BE IT ENACTED, That the said commissioners shall also levy on the enlargements which they may make to the said town such part of the said expenses as they in their judgment may think just and right, to be collected and recovered as aforesaid.

Also on enlargement thereof