

way; they shall receive at least ten days' notice in one or more newspapers published in said town of their purpose to lay out, open, extend, close up, widen, straighten, grade or improve the street or alley, square, drain or waterway so directed to be laid out, opened, extended, closed up, widened, straightened, graded or improved, and the day, hour and place of meeting for the said purpose, and they shall meet at the time and place mentioned in the notice given by them, and proceed to exercise the powers and perform the duty assigned to and required of them, and to ascertain whether any and what amount of value of damages will be caused thereby, for which the owner or occupant of any right or interest claimed in any ground or improvement, ought to be compensated, over and above the amount in value of benefit which will thereby accrue to such owner or occupant thereof, and ascertain what amount in value of benefit will accrue to any lot or parcel of ground by or through which the same may pass, or improvements made, or any other property, or to the owner or occupant thereof, and which the said lot or parcel of ground or the owner or occupant thereof ought to pay; they shall locate boundaries and prepare an explanatory map, giving description of the street or alley opened, closed, extended, widened, straightened or improved, with each separate lot or parcel of ground deemed to have sustained damages or received benefits, and they shall, within ten days, return to the Mayor and Council such map, together with the amount of damages awarded to such owners or occupants, and the amount of benefits assessed to any lot or parcel of ground, or the owner thereof, together with a certificate of their qualifications, which may be ratified or rejected or altered and amended, in whole or in part, by said Mayor and Council; provided that the Mayor and Council shall give ten days' notice, at least, by publication in one of the county papers published in Snow Hill, or by ten days' notice, at least, in writing to each property owner so interested, of the time set for final action on return of said examiners; and said Mayor and Council shall act on said returns within twenty days after expiration of said notice, and may issue a new commission, as, in their judgment, may seem proper, and before actually proceeding to open, widen, extend or close any such street or alley, the Mayor and Council shall pay or tender to the person, his agent, guardian or representative, the amount of damages so awarded; and if any one should 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 of Worcester County, by giving written notice within twenty days from said decision, filed with the secretary of the Council, of their desire to appeal, and on the filing of said notice it shall be the duty of the said secretary to deliver the papers connected therewith to the clerk of said court, and the same proceedings shall be had in the appeal as in the cases of appeals from judgments of Justices of the Peace; provided, nevertheless, that the Mayor and Council may decline to open, lay out, extend, widen, grade or straighten, any street, alley or highway, or any square, waterway or drain, notwithstanding the decision of said court; but in case of the refusal so to do, they shall be liable for all costs incurred,