

opinion, the public welfare or convenience may require, to provide for ascertaining whether any and what amount in value of damage will be caused thereby, for which the owner or possessor of any property through which such street or alley may pass, ought to be compensated, and for assessing and levying, either generally, on the whole assessable property within the town, or specially on the property of persons benefitted, the whole or any part of the damages and expenses which will be incurred in laying out or extending such street or alley; for granting appeals to the circuit court for Allegany county, from the decisions of any commissioners or other persons appointed in virtue of any ordinance to ascertain the damages occasioned by the opening or extending of such street or alley, and for securing to the person injured, the right on application within thirty days from the return of the report of the commissioners, to have decided by jury trial whether any and what damage he or she has sustained; to provide for collecting and paying the compensation awarded to any person before any street or alley shall be so opened or extended, and to enact all ordinances from time to time necessary and proper to the exercise of the powers granted in this section; *provided*, that before the mayor and councilmen proceed to execute any of the powers vested in them by this section, at least thirty days' notice shall be given of any application which may be made for the passage of any such ordinance by written advertisement posted at least at three of the most public places in the town. Upon the return of any assessment made under any ordinance, passed under this section, the clerk of said town shall cause a copy thereof to be for thirty days, posted at the post office in said town.

1867, c. 276 further enacts, that the Mayor and Councilmen of the town of Frostburg, shall designate their Judges to hold the first election under this act on the first Monday in June, 1867, for Mayor and Councilmen, who shall qualify and hold said election in the usual manner, and each voter shall have printed or written on his ticket in favor of an incorporation, or against an incorporation. If a majority of