

under this section, the clerk of said town shall cause a copy thereof to be published once a week for four successive weeks, in at least two newspapers printed in said county; and provided further, that whenever the said mayor and common council open, lay out, widen or extend any street, lane or alley, they shall establish the grade thereof, and if, in their judgment proper so to do, they shall grade the same.

1886, ch. 201. 1888, ch. 7.

82. If any person shall feel aggrieved by the decision of the commissioners appointed to lay out such streets, alleys or lanes, as to the amount of damages allowed him or benefits assessed against him, he may appeal therefrom at any time within thirty days after said commissioners shall have made their return to the circuit court for Garrett county, which said appeal shall be taken by filing written notice thereof with the clerk of said common council, who shall thereupon, without unnecessary delay, transmit to said circuit court a record of the proceedings of said mayor and common council, and of said street commissioners in said matter, and said appeal shall be docketed upon the trial docket of the next succeeding term of said court, the party taking said appeal to be docketed as plaintiff, and said mayor and common council as defendant; and said party appellant shall thereupon be entitled to a jury trial to assess the amount of damages payable to, or amount of benefits chargeable against him, as the case may be; and the amount assessed as such damages or benefits by said jury shall stand in the place and stead of the assessment thereof by said commissioners, and upon said appeal it shall be competent for the court to quash the proceedings upon the motion of the appellant, for errors or omissions rendering the same fatally defective; and upon the trial of said cause in said circuit court, either party may take bills of exception to any rulings of said court upon matters of law arising in the progress of such trial, and either party appeal to the court of appeals of this State from any such rulings, or from the action of said court in quashing or refusing to quash such proceedings.

1886, ch. 201.

83. They may provide for levying and collecting an annual tax of fifty cents on the owner of every dog, and one dollar on the