

or over which such street or alley may pass, ought to be compensated and paid; and for assessing and laying, either generally on the whole assessable property within the city, or specially on the property of persons benefited by such improvement, the whole or any part of the damages and expenses which may be incurred in laying out, opening, extending or widening such street or alley; to provide in case they shall determine to levy and assess the whole or any part of said damages and expenses upon the owner of the property in the city specially benefited by such improvements; for the apportionment amongst them of the amount of such damages and expenses so determined, to be levied upon them in due proportion to the amount of benefits by them respectively received; to provide for the appointment of commissioners to assess said damages and benefits and prescribe their duties and compensation; to provide for the condemnation of all land and property so taken for public use, in opening, extending or widening any street or alley, as aforesaid; for the notice to be given in relation thereto; for the payment of the damages so awarded, and for the collection and mode of payment under any action allowed by law, of the benefits so determined to be assessed; and to pass all ordinances necessary and proper to the exercise and enforcement of the powers granted in this section; provided, that no land or property shall be taken under the powers given in this section without just compensation being first paid or tendered to the party entitled to such compensation as agreed on with the owners of such property, or awarded by a jury summoned for the purpose by the sheriff of Carroll county, in the mode and at the time to be prescribed by said mayor and common council.

1874, ch. 343.

228. They shall have the power to grade and pave streets and alleys in said corporate limits, and to regulate the width thereof; to lay flag-stones across said streets and alleys wherever necessary; to provide of what material the said streets, sidewalks on said streets and alleys shall be paved and curbed, and how the same shall be done, and kept in good repair; they may require the owners of the lots of ground in front of which said grading and paving or repairing of sidewalks are to be done, to do the same at their own expense; and if any owner of a lot shall neglect to