

extended, widened, straightened or re-located and to enact all ordinances from time to time necessary or proper to the exercise of the powers granted in this section, provided, ^{Proviso.} that before they shall 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 advertisement in at least two newspapers printed in said city; and by a personal notice in writing served twenty days before, upon each property holder to be affected by the passage of the proposed ordinance, giving notice of the time and place named for the passing of said ordinance, provided said parties are residents of Alleghany County, and provided further, that upon the return of any assessment of damages or benefits or both, made under any ordinance passed under this section the clerk of said city shall cause a copy thereof to be published once a week for four successive weeks in two newspapers printed in said city; and provided further, that whenever said mayor and city council open, lay out, extend, widen, straighten or re-locate any street or alley, or any part or parts thereof, they shall establish the grade thereof, and such grade, when so established, shall be indicated upon a plat, and a description thereof shall be recorded in like manner as the plats of sewers and water mains hereinbefore provided for, and in their judgment proper so to do, the mayor and city council shall have the said streets or alleys graded, and provided further that the publications to be made under this section in two newspapers shall always be made in newspapers of opposite political faith.

68. The mayor and city council may, whenever in their judgment the public interests or convenienc^e require it, have any street or alley, or parts thereof in said city, graded, paved, sewer^d or otherwise improved, and levy the expenses thereof on the property binding on such street or alley, agreeably to the extent of such lots thereon, and collect the expense thereof as directed in the next succeeding section, provided, that in estimating the number of front feet upon such street or alley to be improved, in all cases when a portion of such front feet shall be occupied by a railroad track or its slopes, the number of front feet so occupied shall not be included in said estimate, nor shall said railroad be assessed with any part of the costs of such improvements, unless such property of said railroad shall be used for other purposes than a track simply, in which case said property shall be estimated and changed in the same manner as the property of other parties bordering on such streets or alleys. And the mayor and city council shall provide by ordinance for the giving of notice by publication or by service of

May grade, pave and sewer streets, &c.