

the rendering of judgment; and provided the person aggrieved shall enter into good and sufficient bond for the faithful prosecution of the appeal, and for the payment of all costs in case the judgment be affirmed; but no appeal shall stay process or execution upon judgment, unless a bond be given as above provided.

SEC. 137. Before any policeman, regular or special, shall act as such, he shall take and subscribe before the mayor, in a book to be kept for that purpose, the following oath: "I do swear (or affirm) that I will, to the best of my ability, discharge the duties of policeman of Hagerstown, without fear, favor or partially." The policeman so appointed for the enforcement of the ordinances of the town and the preservation of its peace and good order, shall have all the powers of constables; and any person resisting a policeman in the discharge of his duty shall be liable, upon conviction, to punishment in the same manner and to the same extent as if he had resisted a constable; and any policeman so appointed, who shall be guilty of official misconduct, shall be proceeded against by presentment and indictment in the circuit court for Washington county, and if found guilty shall be fined or imprisoned, or both, in the discretion of the court.

Oath of policemen.

Powers of policemen.

SEC. 138. The mayor and council shall have power to provide for laying out, opening, extending, widening, straightening or closing up in whole or in part, any street, highway, square, lane, alley, drain, or any water course within the bounds of said town, which, in their opinion, public convenience may require.

Power of mayor and council.

SEC. 139. There shall be three street commissioners, and Edward W. Mealey is hereby constituted a commissioner to serve until the first Monday in March, eighteen hundred and eighty-five; John W. Stonebraker is hereby constituted a commissioner to serve until the first Monday in March, eighteen hundred and eighty-six; that Charles E. S. McKee is hereby constituted a commissioner to serve until the first Monday in March, eighteen hundred and eighty-seven. Before the first regular meeting of the mayor and council in February, eighteen hundred and eighty-five, the mayor, with the advice and consent of council, shall appoint one street commissioner to serve for the term of three years from the first Monday in March next succeeding the date of his appointment; and annually thereafter, before the first meeting of the mayor and council in

Street commissioners.

Mayor to appoint the street commissioners.