

February, there shall be appointed in the same manner a commissioner to serve for the term of three years from the first Monday in March next succeeding his appointment. The said commissioners, before entering upon the discharge of their duties, shall take the oath prescribed for town officers, and shall receive no compensation for their services. And one of said street commissioners shall be of a different political party from the other two. In case of a vacancy, the mayor, with the advice and consent of the council, shall appoint a successor to serve out the unexpired term. The said commissioners, or a majority of them, when qualified, shall constitute a board to be known as the board of street commissioners, for the performance of the duties imposed upon them, and they shall continue in office until their successors are respectively appointed and qualified. They shall elect one of their number as president, and the clerk of the mayor and council shall be clerk of the board of street commissioners. He shall keep a full and true record of all their proceedings, and shall perform such duties as may be required of him; and it shall be the duty of the said board of street commissioners to report every three months, to the mayor and council, an itemized account of all moneys expended by them.

Vacancy—how filled.

SEC. 140. Whenever the mayor and council shall direct any street, highway, lane, alley, square, drain or water course within the limits of the town to be laid out, opened, extended, widened, straightened or closed up, in whole or in part, the board of street commissioners shall give at least ten days' notice in one or more newspapers of the town, of their purpose to lay out, open, extend, widen, straighten or close up the street, highway, lane, alley, square, drain or water course so directed to be laid out, opened, extended, widened, straightened or closed up, and of the day, hour and place of their meeting for said purpose; and the said board of street commissioners shall meet at the time and place mentioned in the notice given by them, and proceed to exercise the powers and perform the duty assigned to and required of them, and to ascertain whither any, and what amount in value of damages will be caused thereby, for which the owner or occupant of any right or interest claimed in any ground or improvements ought to be compensated, over and above the amount in value of benefit which

Give notice in newspapers.

Determine damages.