

May condemn. SEC. 310. The burgess and commissioners shall have the right to condemn the parts of all public highways lying within the limits of the town for public use, and to open, widen, straighten, or close up the same in whole, or in part; provided free access is allowed to all public roads running to the limits of the town through the highways of the town.

Take oath. SEC. 311. Before any policeman, regular or special, shall act as such he shall take and subscribe before the burgess the following oath: "I do swear or affirm that I will, to the best of my ability, discharge the duties of policeman within the police limits of the corporation of Smithsburg without fear, favor, or partiality." The policeman so appointed for the enforcement of 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 of Washington county, State of Maryland; 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.

Misconduct.

Oath of office. SEC. 312. Every officer of the town, except the burgess, judge and clerk of election and policeman, shall, before entering upon the duties of his office to which he may be elected or appointed, shall take and subscribe to the following oath or affirmation: "I do hereby swear (or affirm) that I will well and faithfully discharge the duties ofin accordance with the best of my ability and understanding;" and a copy of said oath or affirmation shall be inserted in the minutes of the corporation board by the clerk.

Right to assess and to tax. SEC. 313. All property within the limits of Smithsburg, or that may have a *situs* there by reason of a residence of the owner therein, except as hereinafter provided, shall be taxed for municipal purposes, and the assessment for town purposes shall be the same as that for state and