

taken and impounded, the said bailiff shall sell same at public sale, and after deducting one-half the amount due on same, including fine, which he shall retain, shall account for the balance to said Commissioners; the said bailiff is hereby given the power, and it shall be in his discretion to take the same proceeding with reference to any animal or animals of any kind hereinbefore named of which the owner may be known. and it shall be his duty to so impound the said animal or animals if the owner be known, or to institute proceedings before a justice of the peace as hereinbefore provided for violation of the provision of this section as hereinafter set forth herein. It shall be the duty of the bailiff as far as practicable to enforce this and other provisions of this act as well as the ordinances enacted by the said Town Commissioners, as provided in this act, and any wilful neglect upon his part to enforce either of them upon coming to his notice shall be malfeasance in office.

116D. Whenever the said Commissioners shall decide that it is expedient that any road, street, lane or alley, as aforesaid, within said corporate limits, shall be opened, widened and straightened, changed or closed, or make subways, as provided in section 102, unless they shall be able to make satisfactory contracts necessary for the same, or until the necessary lands or easements in or over the same shall be donated for the purposes, they shall appoint three disinterested persons, residents of the town, to assess all damages done, suffered and incurred by the opening, widening, straightening, changing or closing of any such highway, streets, lanes or alleys, or the construction of any such subways, and any benefits or advantages accruing to any person by the same, or any one of them, as the case may be; the said Commissioners shall within ten days after notification of their appointment take an oath before the justice of the peace of the town that they will faithfully, fairly and without partiality or prejudice value and assess the loss and damage to be suffered and incurred by, and the benefits to accrue to any person interested in the property over which the highways, roads or streets, alleys or lanes are to be opened, closed, straightened, widened or changed, or such subways to be cut or constructed; and they shall give at least ten days' notice by notice posted at the court house door of the time and place of meeting for the purpose of executing their commissions; they shall within ten days after such valuation and assessment report the same in writing under their hands