

said Mayor and Councilmen to give at least ten days notice of the time of holding said election, by advertisement in one or more of the newspapers printed in said town.

SEC. 5. *And be it enacted*, That upon application in writing for the opening, extending, widening or straightening of any street, lane or alley in said town by two thirds of the owners of the property binding on said street, lane or alley, the Mayor and Councilmen, in their discretion, may appoint three discreet and disinterested freeholders as commissioners to open, extend, widen or streighten any street, lane or alley in said town, and to assess the damages which may be sustained by each and every person owning property binding on said street, by the opening, extending widening or strengthening the same, and the damages so sustained in the judgment of said commissioners, who shall act under oath, shall be paid by the property holders whose property binds on said street, alley or lane, and by the property holders adjoining which shall in the judgment of said commissioners be benefitted thereby, in such proportions that the said commissioners shall ascertain, fix and assess.

Application to be made in writing for the opening, widening &c. of streets.

SEC. 6. *And be it enacted*, That the said commissioners shall return a plat of said street or alley to the clerks office, to be by the clerk recorded at the expense of said corporation, and the said street, lane or alley, shall thence become a public street, lane or alley.

Commissioners to return plat of street to clerks office.

SEC. 7. *And be it enacted*, That the Mayor of the said town shall ex-officio be invested with all powers of a justice of the peace over all cases wherein the said corporation shall be a party, and shall have full power to hear and determine all cases which may be brought before him when said corporation shall be a party, and that an appeal may be taken from his judgment to the county court, in the same time and manner as appeals are now granted by law, from the judgments of justices of the peace.

Mayor to be invested with the powers of a justice.

SEC. 8. *And be it enacted*, That all acts inconsistent with the provisions of this act, be, and the same is hereby repealed, so far as they may conflict with the foregoing provisions.

Repealed &c.

SEC. 9. *And be it enacted*, That this act shall take effect and be in full force from and after the day of its passage.

In force.