

The Court to  
determine  
upon peti-  
tion.

and that any person interested and denying the fact that said petition was so signed, may appeal to the Circuit Court for Allegany County within fifteen days from the posting of said notice; and within said fifteen days from the posting of said notice any person interested may present a petition to the Circuit Court for Allegany County on the law side thereof, which Court is hereby given jurisdiction on the premises, setting forth the facts, whereupon the said Court shall inquire and determine, under such rules as it shall prescribe, whether said improvement was petitioned for by the owners of a majority of the front feet of property abutting upon said street or alley or part thereof, and if upon the trial it shall be determined it was not so petitioned for, the Court shall quash said ordinance, but if it shall be determined that it was so petitioned for, the Court shall approve said ordinance. At the hearing of said petition by the Circuit Court, either side shall be entitled to a jury trial, and if said petition is filed during a regular term of the Circuit Court before the jury has been discharged, said petition shall be heard and tried at said term of Court, and if said Court is not in session, or if the jury has been discharged, then the Court may order a special jury to be summoned of the inhabitants of Allegany County, as in cases of condemnation of property for corporations, as provided in Article 23, Section 248, of the Code of Public General Laws of Maryland, except as herein otherwise provided; the said jury shall be summoned to meet and said case shall be tried at the usual place for holding the sessions of said Court, and if at said time any jurors summoned do not attend, the sheriff shall immediately summon as many jurors as may be necessary with the jurors in attendance to make twenty jurors, and from them each party or its, his or their agent and attorney (or if either party shall neglect or refuse so to do), then the sheriff may strike off four names, and from those remaining on the list of the sheriff, shall select twelve men to act as the jury, and shall administer to each of the jury the usual oath administered to jurymen in the trial of civil actions in said Court. But it shall be lawful for either party to waive a jury trial and to consent that the matter shall be tried before the Court, and said Court shall then try said case upon its regular trial docket if the Court be in session when the said petition is filed, or may try said case at such time as it shall set before the adjournment of the then pending term, if that be possible. And upon the trial of said petition either side may take exceptions to the ruling of the Court upon matters of law, in the usual way, and may appeal to the Court of Appeals from

Special jury.

Either side  
may appeal  
to the high-  
er court.