

such rulings. And if the judgment shall be against the petitioner he shall pay all the costs of said trial, including the cost of the jury; and if in his favor, said costs shall be paid by the said Mayor and City Council of Cumberland. If no petition shall be filed as aforesaid or if upon trial as herein provided said ordinance shall be approved, the said Mayor and City Council may proceed with said improvement and thereafter all parties interested shall be stopped from denying the fact that said petition to the Mayor and City Council was signed by the owner of a majority of front feet of property on said street or alley or part thereof to be improved as required by this section. And whenever under any ordinance passed as provided for by this section the plans of said improvement shall call for recurbing said streets, the cost of said recurbing shall be borne entirely by said property owners. And the Mayor and City Council may appoint commissioners as provided in Article I, Section 66, of the Code of Public Local Laws of Maryland, entitled "Allegany County," sub-title "Cumberland," to assess and levy upon the owners of property abutting upon the street or alley or part thereof to be improved according to the number of front feet owned by them, two-thirds of the cost of said improvement, the balance to be paid by the Mayor and City Council; provided, that before said Commissioners shall proceed to assess and levy said costs, they shall give notice by hand bills to be conspicuously posted along the line of the proposed improvement, of the time and place, when and where said Commissioners will sit to determine said assessments, at which time and place all owners of property interested shall be entitled to appear and be heard in person or by counsel by said Commissioners on the question of said assessments and costs. And the Mayor and City Council may provide by appropriate ordinances for carrying out the provisions of this section. And a majority in interest of the owners of undivided interests in any piece of property are to be deemed the owners thereof for the purposes of this section.

Upon approval of ordinance, work to proceed.

Appointment of assessment commissioners.

69. Whenever the Mayor and City Council shall levy any sum of money on the owners of property in said city for grading, paving, curbing, sewerage, or otherwise improving the streets, lanes or alleys of said city, or any of them, or for regrading, repaving, recurbing, rescwering or otherwise improving any of said streets, lanes or alleys in said city, or any of them, the sum so levied shall be a lien on said property and shall be a preferred lien the same as city taxes for general purposes now are; provided, said Mayor and City Council

The sum levied to be a lien on the property.