

shall be used for other purposes than a track simply, in which case said property shall be estimated and charged in the same manner as the property of other parties bordering on such streets or alleys.

Willison v. Mayor, &c., 50 Md 138.

1878, ch. 484.

69. Whenever the mayor and city council shall levy any sum of money on the owners of property in said city, for grading, paving, sewerage or otherwise improving the streets, lanes or alleys in said city, or any of them, the sum so levied shall be a lien on said property; provided said mayor and city council shall, within sixty days after the completion of such grading, paving, sewerage or other improving, cause to be filed with the clerk of the circuit court for Allegany county a statement showing the whole amount expended in such grading, paving, sewerage, or other improving, and names of the persons among whom the said sum has been apportioned, and the amount apportioned to each, and a general description of the land owned by each of said parties upon which such sums are intended to operate as a lien; and said statement shall constitute a lien on said property for the space of three years and no longer, unless the same shall be revived or enforced by *scire facias*, as provided in the next succeeding section.

Ibid.

70. Said lien shall be enforceable by *scire facias* issued out of the circuit court for Allegany county, in the same manner as mechanics' liens are now enforced by law, and upon such *scire facias* the defendant may rely upon any defence which would render the imposition of such tax void, or operate as a discharge thereof; and such *scire facias* may issue at any time within three years from the filing of the statement required by the last preceding section; but any defendant intending to dispute the validity of said tax, and wishing to test the same before the expiration of said time, may at any time after the filing of said statement give notice to said mayor and city council, in writing, that he disputes the validity of such tax and wishes to test the same, so as to free his property from said lien claim; and in such case, unless said mayor and city council shall issue a *scire facias* thereon against said party within sixty days after the receipt of