

and plat is completed, the said examiner or examiners shall tax and assess the gross amount of the probable cost of the work, and of the cost and expenses of the proceedings in the matter, fairly and equitably, on the ground bounding and fronting on such street, avenue or alley, or portion thereof, on which the work is to be done, and such tax and assessment shall be a lien on said property, and shall be collected, deposited, paid out and disbursed in the same manner as assessments for benefits for condemning, opening, grading and constructing any street, avenue or alley, or part thereof, are collected, deposited, paid out and disbursed; and all proceedings which can be had and taken for the condemnation, opening, grading and construction of any street, avenue or alley, or portion thereof, under the provisions of this sub-title of this Article, can and shall be had and taken so far as the same may be applicable, for macadamizing, graveling, shelling, paving or curbing of any street, avenue or alley, or part thereof.

394. In all contracts of any description made under this sub-title of this Article, the examiner or examiners shall reserve twenty per cent. of the amount of such contracts, to be held by him or them as security for the faithful completion of the same until the same shall have been satisfactorily completed; and the said twenty per cent. shall be deducted and reserved from each and every payment under said contracts; and should the contractor, under any contract made under the terms of this sub-title of this Article, fail to complete said contract, all sums unpaid at the time of such default, including the twenty per cent. above referred to, shall be forfeited, and the contractor or his bondsmen shall have no claim upon the same; and whenever application is made to the County Commissioners as hereinbefore provided in this sub-title of this Article, it shall be the duty of the County Commissioners to appoint one examiner or three examiners, as the applicants may prefer; the one examiner to be chosen by agreement between the County Commissioners and the applicants, or in case of non-agreement, to appoint three examiners, two to be chosen by the County Commissioners and one to be named by the applicants; but no person shall be appointed as an examiner nor as one of the examiners, who shall be related to any of the parties making the application, nor who may be the owner of or be in any way interested in the ground bounding and fronting on the line of any street, avenue alley or proposed thoroughfare for which application is made to be condemned, opened, graded and con-