

companies occupying said streets with its tracks to grade, make and pave and to regrade, remake, and repave the space between its rails and two feet on the outside thereof and to maintain the same providing a penalty for the failure of said railway companies to comply with the provisions of said ordinance applicable thereto.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Mayor and Council of Hagerstown, shall have and are hereby vested, with full power and authority to provide by ordinance for grading, making, paving, concreting, macadamizing with or without tarvia or oil thereon and curbing; and for regrading, remaking, repaving, reconcreting, remacadamizing, with or without tarvia or oil thereon and re-curb-ing of any street, highway, lane or alley in Hagerstown or part thereof, now condemned, ceded or opened as a public highway, or which may hereafter be condemned, ceded, opened, widened, straightened or altered, according to the laws and ordinances of Hagerstown regulating the same, the materials to be used for such work to be set forth in said ordinance; and also, for assessing the costs of any such work and materials used in whole or in part *pro rata* upon the property abutting or binding on such street, highway, lane or alley or part thereof, and for collecting such assessment as other City taxes are collected.

SEC. 2. *Be it enacted,* That the said Mayor and Council shall also have, and are hereby vested, with power and authority to provide by general ordinance for grading, making, paving, concreting, macadamizing, with or without tarvia or oil thereon, and curbing; and for regrading, remaking, repaving, reconcreting, remacadamizing, with or without tarvia or oil thereon, and re-curb-ing of any street, highway, lane or alley or part thereof, in Hagerstown without the passage of a special ordinance in the particular case, whenever the owners of a majority of the front feet of property abutting or binding on such street, highway, lane or alley, or part thereof, shall apply for the same to the Mayor and Council upon terms and under conditions, with such materials to be prescribed in said general ordinance, and for the assessment in any such case of the costs of such work and the materials used, in whole or in part *pro rata* upon all the property binding or abutting upon such street, highway or alley, or part thereof, and for the collection of such assessment as other City taxes are collected.