

explanatory map, to be opened, extended, widened, straightened or closed up as the case may be.

69. If any person to whom any damages have been awarded, or against whom any benefits have been assessed, shall feel aggrieved by the decision made in manner aforesaid, he shall have the right of appeal to the Circuit Court for Washington County, provided written notice of an intention to appeal be served upon the Mayor or one of the Councilmen within ten days after the said decision shall have been made; and the same proceedings shall be had on such appeal as is provided nevertheless, that the Council shall not be compelled to accept the judgment of the Circuit Court for Washington County, but may decline to lay out, open, extend, widen or straighten or close up any street, lane, alley, square, highway, such refusal by the Council, all costs incurred shall be paid by the City of Hagerstown.

70. All benefits assessed against any lot or parcel of ground (or the owner or occupant thereof) shall be a lien against said lot or parcel of ground from the time the Council shall finally order the opening, widening, extending, straightening or closing up of any street, highway, lane, alley, square, sewer, sanitary sewer, drain or water-course, as the case may be; and it shall be the duty of the Council, immediately upon the passage of such order, to certify, to the person charged with collecting taxes the amount of benefits so assessed against any lot or parcel of ground, who shall forthwith enter the same on his books against the property so assessed; such benefits shall be collected as other taxes are collected; provided, that no property be sold for the payment of benefits until after the expiration of three months from the date of the passage of the order of the Council in the premises.

71. The notices herein provided to be given by the City shall apply in all cases, whether the owners of property to be affected by their proceedings be residents or non-residents, infants, persons non compos mentis, or persons laboring under any other legal disability.

72. Before the City of Hagerstown shall be liable for damages of any kind the person injured, or someone in his behalf, shall give the Mayor or City Clerk notice in writing of such injury within thirty days after the same has been received, stating specifically in such notice, when, where and how the injury occurred, and the extent thereof. The City of Hagerstown shall never be liable on account