

*details, as set forth in the ordinance required by sub-division (2) of this section, provided that the council may depart from such plan by commencing new proceedings under this section.*

*(11) If any person shall feel aggrieved by the determination of the council of damages or benefits or by its failure to award damages to him or his property, he may appeal to the Circuit Court of Wicomico County by giving written notice within ten days after the publication of the notice required by sub-division (9) of this section, which said notice of appeal shall be filed with the Clerk of Salisbury. And upon the filing of the said notice of appeal, it shall be the duty of the said Clerk to deliver to the Clerk of the Circuit Court for Wicomico County a certified copy of the ordinance, commission, report, explanatory plat and written evidence of the determination hereinbefore mentioned and the same proceedings shall be had on appeal as in the case of appeals from the judgments of Justices of the Peace. The Court or Jury, as the case may be, may alter the determination of the said council of the damages and benefits, or either, and may award costs in its discretion.*

*(12) Not later than six months after judgment, in case an appeal is taken, or after the expiration of ten days from the determination of damages and benefits by the council as aforesaid, in case no appeal is taken, and prior to the payment or tender of damages to any person the council shall determine, by motion or resolution or ordinance, to be recorded with the other proceedings, whether or not the proposed improvement shall be made.*

*In case the Council determines not to continue with the proposed improvement, new commission may be issued as in the judgment of the council may deem proper, and the city shall not be liable for any damages occasioned by the determination to discontinue the proceedings other than the costs of appeal, if any, awarded against them.*

*And, in case the council shall determine to make the proposed improvement, they may, at any time prior to the payment or tender of damages to any person refund benefits received by the city, if any, with interest thereon, and discontinue the proceedings, and in such case the city shall not be liable for any damages occasioned by such discontinuance other than the costs of appeal, if any, awarded against them.*

*It is intended by this sub-division that the council shall have the power to change their determination to carry on*