

had not been paid before the sale; that the property had not been redeemed; and that the deed vested in the grantee an absolute title according to its tenor.

(M) If any person claiming title under a tax deed made as hereinbefore provided, shall be defeated in any suit or proceeding by or against him for the recovery of the land purporting to be conveyed by such tax deed, the successful claimant shall be adjudged to pay him the full amount paid by the purchaser at the tax sale, with interest at the rate of fifteen per centum per annum on the total amount thus paid, also to the amount of all taxes and assessments, state, county and municipal, general or special, paid by the purchaser, his heirs or assigns, after the date of the certificate of purchase, and interest thereon at six (6) per centum per annum. Such judgment shall be a lien on the land in controversy.

Section 12. (A) The Council is authorized and empowered whenever in its judgment, the public health, safety, or comfort requires it, to grade, construct, reconstruct, pave or otherwise improve any street, sidewalk, alley and public highway, or parts thereof, at such time and to such extent and of such materials and in such manner as shall be provided by ordinance and to lay water mains and sewers in said town and to pay the costs of all such work and assess said cost, or any part thereof, against the abutting property as hereinafter provided in this section.

(B) Before entering upon the construction of any work or improvement specified herein, the Council shall by ordinance designate the location, extent and kind of work or improvement proposed to be done or made, the kind of materials to be used, the estimated cost of the improvement and the real property which will be specially benefited thereby and which it is proposed to assess to pay all or any part of the cost thereof, and shall fix a time and place when and where the owner or owners of the property to be so assessed therefor can be heard in reference thereto. Notice of such hearing, embodying the substance of such ordinance, shall be served personally upon the owner or owners of said property who are residents of said town, either by delivering to them a copy thereof or by leaving said copy at the usual place of abode of said owner with a member of his household above the age of eighteen years, at least ten days before said hearing. Owners of property not residing within the limits of said town shall be served with said notice by publishing the same three times in some newspaper of gen-