

proper parties may be joined therein. There shall be attached to Plaintiff's petition a n affidavit of the truth of the matter therein alleged, except such matters as are alleged on information and belief, and that such suit is brought in good faith, and not to injure or delay the city or contractor, or any owner of real estate abutting on the improvement. Unless the provisions of this section are complied with by the plaintiff or plaintiffs, such suit ~~may~~ ^{shall} be dismissed on motion of any defendant, and in that event plaintiff or plaintiffs shall be barred and estopped to the same extent as if suit had not been brought. In any case where a suit is brought as provided for in this section then the performance of the work may be suspended at the election of either the city or the contractors until such suit shall be finally determined in the court of original jurisdiction or any appellate court to which the same may be taken by ~~appeal~~ ^{appeal} or writ of error; provided, that any ~~appeal~~ ^{appeal} or writ of error shall be perfected within thirty days from the adjournment of the term of court of original jurisdiction ~~at~~ ^{by} which final judgment was rendered in such suit; and provided, that no ~~appeal~~ ^{appeal} or writ of error to review the judgment of such court may thereafter be taken or sued out by either party.

SIDEWALKS.

SECTION 1. The Board of Commissioners shall have power in their discretion by resolution passed by a majority ~~vote~~ ^{vote} to order the construction, ~~or~~ reconstruction or repairing of side walks as therein provided along or upon any street, avenue, public place, alley or square or any part or section thereof, within the city or in front of any property abutting upon the same. No notice of the passage of such resolutions shall be necessary. Such resolutions shall in general terms describe the sidewalks to be constructed, reconstructed or repaired, material of which it is to be constructed, re-constructed or repaired, the street, avenue, alley, square or place or part of section thereof, along which said sidewalk is to be constructed, re-constructed, or repaired. Upon the passage of such resolution it shall be the duty of the City Engineer to forthwith prepare and present to the said board, plans for the said sidewalks or repairs for same, detailing the nature of construction, reconstruction or repair thereof, and the material or materials of which the same shall be constructed, re-constructed or repaired. If satisfactory the board shall approve the said plans and the same shall remain on file in the office of the city engineer. Upon the approval of the said plans the City engineer shall at once prepare and file with the board a statement containing the name or names of the owner or owners of property abutting upon the street, avenue, alley, public place or square or part or section thereof, where sidewalks are ordered to be constructed, reconstructed or repaired and a brief description of the property ~~on~~ ^{owner} each ~~corner~~, which may be by lot or block number or any other description which shall be sufficient to identify the same, together with an estimate of the cost ~~of~~ such sidewalks or ~~the~~ ^{the} repair of same in front of the property of each owner, exclusive of the cost of grading and excavating. Upon the filing of such statement it shall be the duty of the City Auditor or such other officer as shall be designated by the board to publish in a daily newspaper of general circulation within the city of Tulsa, a notice to the owner or owners of the property in front of which the side walk or sidewalks are to be constructed, re-constructed or repaired, which notice shall briefly recite the fact that sidewalks have been ordered constructed, re-constructed or repaired by the board and stating the street, avenue, alley, public place or square or section or part thereof along which the same are ordered to be constructed, re-constructed or repaired, and that plans and specifications for such work have been adopted by the board and are on file in the office of the City Engineer, and notifying the owners of property abutting upon such proposed sidewalk or sidewalks to construct, re-construct or repair same, in accordance with such