

men shall be chosen therefrom in the usual manner and shall be sworn. Thereafter no objection shall be heard or allowed against the proceedings on account of the disqualification of any member of the jury. Upon the finding of the court, if the case is submitted to the court, without the intervention of a jury, or on the finding of the jury, the court shall by its order affirm the original inquisition or it shall modify the same, and shall decide which party shall pay the costs of the appeal, and the court shall also determine whether before issuing the warrant to the sheriff the Commissioners made such offer and tender for the purchase of the land as renders the owners thereof bound to pay the costs incurred by the Commissioners in the condemnation proceedings. The order and decision of the court, when an appeal is taken affirming or modifying the inquisition, shall also form a part of the record of proceedings, to be recorded among the land records in the clerk's office within three months after the time for taking an appeal has expired, or in the case of an appeal within three months after the decision thereof, the Commissioners shall determine whether they will accept and take the property under the condemnation. If within three months as, aforesaid, said Commissioners shall not pay or tender the amount required to be paid in the original inquisition or in the order of court on appeal, or shall not, as hereinbefore mentioned, pay the fund into said court of equity to be distributed, the condemnation shall lapse and be set aside.

Court shall affirm or modify original inquisition, etc.

The rights of the Commissioners under any inquisition shall not be deemed or held prejudiced or affected by reason of a failure to recover the proceedings of condemnation if the Commissioners have taken possession of the property condemned.

The sheriff shall be paid in full for his services in such cause six dollars. The jurors shall severally receive fifty cents per day, while the witnesses shall also be paid the sum of fifty cents per day.

Pay of sheriff, etc.

LICENSES.

75. The Commissioners shall have authority by ordinance to require licenses or permits to be applied for and obtained by the parties or persons hereinafter mentioned, and to fix the amounts to be paid for said licenses or permits, and to prescribe the penalties to be imposed for the failure to procure the licenses or permits and to pay for the same. The moneys paid for any and all such licenses or permits required and issued under the order of the Commissioners shall belong to

Authority to require licenses, fix amounts and penalties for failure to procure, etc.