

discretion send back to said examiners and assessors in case they deem it advisable, the award, return, report, plat and proceedings of said examiners for alteration, correction or amendment, and any person interested in said proceedings may appeal from the final order of ratification or rejection of the report of said board of examiners and assessors by the County Commissioners to the Circuit Court for Baltimore county; provided said appeal is taken in writing filed with said commissioners within thirty days after the passage of said final order of ratification or rejection, and provided that the cost of the record in case of appeal shall be paid or tendered to the treasurer of the county or to the clerk of the county commissioners within thirty days from the date of said appeal; and in case the said costs are not paid or tendered as aforesaid, within the period aforesaid, it shall be lawful for the county commissioners to proceed to act in the premises as if no such appeal had been taken; and in case any appeal is taken as aforesaid to the Circuit Court of said county and a motion is filed to quash the proceedings in said case or any other objection is taken to the same, any of the proceedings may be amended as to matters of form so that the case may be tried on its real merits, and the purposes of justice subserved, and in case of any motion to quash for matter of form or substance where the defect in said proceedings set up by said motion cannot be remedied by amendment in court, but shall be capable of being cured or remedied, or where said proceedings may be perfected by said commissioners, it shall be the duty of the court instead of quashing said proceedings to remand the same to said commissioners for that purpose, whenever the ends of justice may be served and delay or expense may be saved thereby, and where final judgment is entered by the Circuit Court in any case, said court may determine whether the costs shall be paid by the appellant or appellee, and the amendments aforesaid may be made at any time before the jury retire to make up their verdict, in case of jury trial, and in cases of trial before the court, at any time before judgment is entered.

Proviso.

Motion to
quash.