

the place or places in said road so out of order, repair or of such insufficient width, until said road shall be put in good order and repair and properly widened, and until the further order of said Court.

The petitioners or the company may, before the confirmation of such inquisition, demand a trial by jury in Court whether said road is in good condition or repair, or of the proper width, or may move to quash the proceedings for matter of law, and the Court adjudge, on the finding of the jury, or otherwise, as may be just, in accordance with the principles of law, and may give judgment for cost against the petitioner or petitioners, county or city, or against the corporation, or apportion the costs in its discretion; provided, however, that the confirmation of the inquisition shall not be delayed more than fifteen days by the filing of any motion to quash or for a jury trial by the corporation, unless such corporation shall give a bond to be approved by the Court conditioned in the discretion of the Court for the refunding of all tolls collected after the expiration of ten days from the return of inquisition, if the same be affirmed, after such motion or trial by jury, or conditioned in such other manner as to the Court may seem best to serve the purposes of justice and equity.

At any time during the progress of these proceedings the corporation against which said petition is filed, may show to the Court in which such petition is filed, by affidavit or otherwise, that the defects complained of in such petition have been remedied, and if said Court be satisfied, either by affidavits, the testimony of witnesses or by the return of a commission of three freeholders appointed by said Court, that the defects complained of in such petition have been repaired and remedied, then said petition shall be dismissed with costs, in the discretion of the Court, as aforesaid.

Either the petitioners or the corporation against which said petition is filed have the right to appeal to the Court of Appeals of Maryland from any final order of such judge or Court.

SEC. 2. *Be it enacted*, That this act shall take effect from the date of its passage.

Approved April 11, 1912.