

for the person entitled in case such person be absent, unable or unwilling to receive the same, or the title to the property to be taken shall be in question. In case the town or any person affected by such proceedings shall feel aggrieved by the verdict of the commissioners appeal may be taken within twenty days of the approval of said verdict, to the Circuit Court of Montgomery County. The party appealing shall perfect his appeal by filing with the town clerk a written notice of his intention so to do within said twenty days and thereupon the clerk shall within twenty days from said notice file a complete transcript of the proceedings with the clerk of the Circuit Court, and said cause, unless the appeal be dismissed, shall be tried *de novo* in said court at the next jury term of said court, after said transcript is filed, in all respects, as other trials had in said court. The verdict of the jury shall conform in all respects to the requirements of this Section, and shall have the same force and effect as the verdict of said commissioners.

1914, ch. 351, sec. 30.

378. Whenever it shall become necessary for any purpose under this Act to serve a notice of process of any kind whatsoever, upon any person or persons owning property within the limits of said town, who may be absent therefrom or a non-resident thereof, or upon whom for any other reason personal service can not be had, and the Bailiff shall make return to that effect, service of said notice or process may be made by publication of said notice on process once a week for three consecutive weeks in some newspaper having general circulation in said town, which said notice by publication shall be as good and effectual as personal service. The affidavit of the publisher or proprietor of said newspaper as to such publication shall be evidence of the fact thereof.

1914, ch. 351, sec. 31.

379. The parts of the several County roads, within the limits of said town, are hereby made and declared to be public streets and avenues of said town and shall be from time to time improved and repaired, as in the discretion of the Council the public interests may require and the resources of the town will justify.

1914, ch. 351, sec. 32.

380. The Commissioners of Montgomery County, Justices of the Peace, Sheriffs, Constables and all other County and State officers shall have, hold and exercise their offices and jurisdiction in said town.

1914, ch. 351, sec. 33.

381. The Town of Gaithersburg is hereby declared to be the legal successor of the Commissioners of Gaithersburg, and shall be entitled to and is hereby vested with all the property and rights of every nature whatsoever belonging to the Commissioners of Gaithersburg; all proceedings now pending in the name of the Commissioners of Gaithersburg shall be