

case, in all respects as hereinbefore provided, and so on until a final verdict in said case is obtained.

Upon any such verdict becoming final, if the same shall be for the defendant, upon the right to condemn, the Court shall forthwith enter a judgment in said case for the defendant with costs, but if said verdict shall be for the petitioner on the right to condemn and assessing damages to the defendants, the said Court upon said verdict shall forthwith enter a judgment in favor of each defendant against the petitioner for the amount of damages or compensation awarded to each of said defendants by the verdict of said jury and his proper proportion of the costs.

Entering of judgment under this section is ministerial act and it is duty of court to enter it unless motion was made to stay it. *Pumphrey v. State Roads Comm.*, 175 Md. 504.

Cited but not construed in *Davis v. Board of Education*, 168 Md. 74.

This section referred to in construing sec. 12.

An. Code, 1924, sec. 12. 1912, sec. 11. 1912, ch. 117. 1914, ch. 463, sec. 12.

12. Any party to said cause may appeal from any such judgment to the Court of Appeals of Maryland, but any such appeal shall be entered in writing within ten days from the date of said judgment, and all bills of exceptions desired by such appealing party shall be prepared and presented to the Court to be signed, on or before the expiration of twenty days from the date of said judgment, unless such time for settling and signing said bill of exceptions shall for good cause be extended by the Court, but the record of such case and appeal in any event shall be filed with the Clerk of the Court of Appeals of Maryland, within thirty days from the date of the entry of such appeal.

No appeal lies from an order sustaining a demurrer to a plea in bar in a condemnation proceeding. *Davis v. Board of Education*, 166 Md. 123.

Rule 29 of Circuit Court of Anne Arundel County, requiring bills of exceptions to be signed during term of court, has no application in appeals in condemnation cases which are governed by this section and not the common law. *Pumphrey v. State Roads Comm.*, 175 Md. 503.

See notes to sec. 1.

An. Code, 1924, sec. 13. 1912, sec. 12. 1912, ch. 117. 1914, ch. 463, sec. 13.

13. If such judgment is in favor of the petitioner awarding compensation to the defendants and no appeal is taken from such judgment by the defendant within ten days from the date of said judgment, or in case of such appeal said judgment is affirmed, the petitioner may at once pay to the defendant owner or owners of the property condemned, the amount so awarded him or them respectively, and the costs as determined by said judgment, and in case the amount of such judgment and cost is duly tendered any such owner who refuses to receive the same, or such owner is out of the jurisdiction of the Court, or under legal disability, the petitioner may pay the same into the said Court, into the hands of the Clerk thereof, for the use of such owner or owners, and to be paid him or them at any time thereafter, and upon such payment being accepted, or upon such tender being made as aforesaid, and said payment made into Court as aforesaid, after the refusal of such tender, or because of the absence or legal disability of such owner or owners as aforesaid, the petitioner shall at once become vested with the title, estate or interest of such owner or owners in the property so condemned. The title so acquired in any condemnation proceeding under this article, shall be an absolute or fee simple title, and shall include and be all the right, title and interest of each and all the parties