

efits assessed, may at any time within thirty days after the first publication of said notice, appeal therefrom by petition in writing to the circuit court for Baltimore county, praying said court to review the same, and the court shall direct the clerk of said court to issue a *subpœna duces tecum* to the county commissioners, requiring them to produce and deliver to said court the statement, plat and profile; and the said court shall have full power to hear and fully examine the subject, and decide on said appeal, and the person appealing shall have the right of a jury trial; the said court shall not neglect or set aside the statement and proceedings of said examiner or examiners, for any defect or omission in either form or substance, but shall amend or supply all defects and omissions and increase or reduce the amount of damages awarded, or of benefits assessed in any case, and alter, modify and correct the statement in all or any of its parts, as the said court shall deem just and proper; and in case a motion is filed to quash the proceedings in said case, or any other objections are taken to any of the proceedings, the same 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 matters of form or substance, where the defect in said proceedings set up by said motion cannot be remedied by amendment, but shall be capable of being cured or remedied, or where said proceedings may be perfected by the examiner or examiners, it shall be the duty of the court, instead of quashing said proceedings to remand the same to said examiner or examiners for that purpose, whenever the ends of justice may be secured and delay or expense may be saved thereby; and when 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 amendment aforesaid may be made at any time before the jury may retire to make up their verdict, in case of jury trial, and in case of trial before the court, at any time before judgment is entered; and if no appeal shall be taken within the time designated, or if the appeal or appeals should be dismissed, it shall be the duty of the county commissioners to ratify and confirm the statement, plat and profile as returned and deposited by the said examiner or examiners; and after the ratification and confirmation of such state-