

Commission as a public road as herein provided, or otherwise acquired by the Commission for such purposes, such growing timber, buildings, stone or other property of value, shall be deemed and taken to become and be the property of the Commission, to be used or disposed of for road purposes, unless the contrary shall be stipulated in the grant of the same, the return of the examiners, the proceedings of condemnation, or by written agreement of the Commission.

361. Any person having property or individual rights involved, and feeling aggrieved by any final decision of the Highways Commission affecting such rights, including its final decisions in all matters in this sub-title specified, as well as all matters coming before said Commission for determination, and not herein specifically enumerated, shall have the right to appeal from such final decision to the Circuit Court for said county; provided that all such appeals shall be taken and the cost of the record paid or tendered to the secretary of the Commission within thirty days from the rendering of such decision and passage of an order in conformity therewith, and if such appeal is not so taken, or costs not so paid or tendered within said thirty days allowed for the same, the right of appeal and all other rights in connection with such appeal shall be considered waived; on the taking of such appeal and the payment or tender of the costs thereof, as aforesaid, it shall be the duty of the secretary to the Commission to forthwith prepare a transcript of the proceedings and transmit the same to the clerk of the Circuit Court for Baltimore county; such appeal shall be tried at the term of court then being held, or as soon thereafter as convenient for the court, and upon such trial the court shall give such judgment as shall be proper, including the matter of costs, which in no event, shall be given against the Highways Commission, unless it be a party to the proceeding, and the judgment so given shall be certified to the Commission by the clerk of said court. The proceedings on such appeal shall not be quashed because of any formal defects, and any of the proceedings may be amended as to matters of form as fully as if such case had originated in said court, so that the case may be tried on its merits, and the purposes of justice subserved, or the court may, in its discretion, remand said case to the Highways Commission for alteration, correction or amendment. All persons so appealing or against whom such appeal is taken, shall have the right to a trial by jury of all issues of fact involved in such appeal as fully and in the same manner as though the case had originated in said court; provided, however, that this section shall not apply to the orders of the Highways Commission in the matter of the removal of Road Supervisors or other appointees or employes for cause, the matter of