

connection with the opening of any new road, for the construction or repair of any bridge, the relocating, straightening or widening of any road, the proper drainage of the roads of the County, or in connection with any other of the duties under this sub-title, and if they be unable for any reason to agree with the owners of any such land or materials, the use of which is required for any such purpose, and if other provisions of this sub-title shall not in any such case be applicable or advisable under the circumstances, said Commissioners may proceed to condemn the same under the provisions of the law relative to condemnation by corporations, municipal or otherwise, as fully as though they were a corporation named in the several sections of said law.

177S. Any persons having property or individual rights involved and feeling aggrieved by any final decision of the said County Commissioners affecting such rights, including their final decisions in all matter in this sub-title specified, 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 clerk of said commissioners 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 clerk to said Commissioners to forthwith prepare a transcript of the proceeding and transmit the same to the Clerk of the Circuit Court for Montgomery County, such appeal to 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 said County Commissioners unless they be a party to the proceedings, and the judgment so given shall be certified to the said Commissioners by the Clerk of said Court.

The proceedings on such appeal shall not be quashed because of any formal defect, 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