

the amount of damages assessed by the proceedings in court, to the various owner or owners, and the expenses of said court proceedings, and their own proceedings, and if the amount fixed by the jury is larger than the amount fixed by the appraisers, as hereinbefore provided, the City shall pay to the property owner or owners said excess, less the amount, if any, the Department of Assessments has assessed the owner or owners for benefits, as hereinbefore provided. If, however, the amount awarded by the jury shall be less than the amount fixed by the appraisers, the property owner shall be liable to the City for such excess, and also for any benefits he may be assessed by the Department of Assessments on account of the laying out, opening, extending, widening or straightening of said highway, street, square, lane or alley, and the City shall be entitled to a judgment in said proceedings against the said owner or owners, for said amount. The property owner shall have the right to file exceptions to the amount of the benefits against him by the Department of Assessments, and appeal to the Baltimore City Court, and demand a jury trial thereof any time before the expiration of the time for taking appeals from assessments for benefits by the Department of Assessments. In the event that the owner, or one of the owners of such property is a minor, insane, unknown or otherwise incapable of receiving said payment, or in case the owner or owners of such property refuse to accept said payment, the same may be paid into court and, upon such payment being made and security given, as aforesaid, any time after the expiration of ten (10) days from the date of payment of the amount fixed by the appraisers, the City may take possession of the property, and proceed with the improvement for which the same is sought to be acquired. Thereafter, the same proceedings shall be had as if the payment were made to the property owner or owners, as hereinbefore provided in this section. In any proceedings under this Act, the petitioner shall pay all the costs in the lower court to be taxed as in ordinary actions at law, also the costs of the compensation to the appraisers to be fixed by the court.

3. Whenever the Mayor and City Council of Baltimore shall hereafter provide by ordinance for the laying out, opening, extending, widening or straightening of any highway, street, square, lane or alley, and such ordinance shall provide that the Department of Assessments shall proceed to acquire the property necessary in accordance with Section 225 and following applicable sections of the Baltimore City Charter (1938 Edition) and an appeal shall have been taken to the Baltimore City Court from any action of the Department of Assessments, in fixing the damages to be awarded for the property proposed to be taken, the said Court, upon the application of the Mayor and City Council of Baltimore, may