said property, the court shall hear and determine any reasons that may be alleged why the said property shall not be lawfully condemned for the purpose set forth; and if it appears to the court that any such owners or reputed owners are under any legal disability to make his, her or their defense, they shall either authorize their duly constituted guardian or committee to appear and defend for them, or shall appoint some suitable person as guardian *ad litem* for them to appear in their name and defend their rights; if the court shall determine that the property is not subject to condemnation at all, it shall quash the petition; if it shall determine the proceedings are void for want of a proper notice or summons, which has not been barred by the appearance of the owner or reputed owners of the property, it shall order a re-summons or re-publication of the order of notice; the court shall at any time have power to permit any amendments in matter of form, if there be no objection to the condemnation of said property, or if the court shall decide against the validity of any such objection as may be alleged, it shall order and adjudge that said property be subject to condemnation, and refer the assessing of the value of the same to the Park Commissioners to make an award of the value of said lot or portion of ground, and of the interest of the several owners; as soon as conveniently may be, the said Park Commissioners shall assess the value of the property sought to be condemned in fee simple, and apportion the same among the owners of the different estates therein, according to the value of their respective interests, and return to the

Proceedings for condemning property.



Baltimore City Court their award of the value of said property; and of the respective interests of the several owners thereof, under their hands, and give notice by advertisement twice a week for one week in two of the daily papers of Baltimore City that such award has been returned to the Baltimore City Court, and that all persons having an interest therein may show cause, if any they have, why the same should not be confirmed during the ten days subject to exception; either the Mayor and City Council of Baltimore, or any owner or reputed owners of any interest in the lot of ground sought to be condemned, whether they have previously appeared to the said petition, or have been made a party thereto or not, shall have the right to file exceptions to said award, and pray a jury trial on the hearing of said exceptions; upon said exceptions being filed the court shall, as soon thereafter as conveniently may be, have the same heard, tried and determined in court before a jury, in the same manner as appeals in street cases are now heard, except that there shall be no appeal to the Court of Appeals, and that all the taxed cost of such appeal shall be paid by the Mayor and City Council of Baltimore, after the confirmation of all the awards of the Park Commissioners, to which there are no exceptions and after the renditions of the verdicts by the juries and the approval thereof by the judge of the Baltimore City Court; in all cases where there are such exceptions or appeals the said Park Commissioners shall either pay to the owners of said lots the amount awarded by the jury or Park Commissioners, respectively, or pay the

Award of value.

Exceptions may be filed.

Judgment of City Court final.