

shall be opened, and in case of the death of any of the parties concerned after the valuation made by the examiners, or a majority of them, the damages finally adjudged to him or them shall be paid to his or their executors.

25. The signing any petition presented to the county commissioners for opening, altering or changing a public road, shall not make any petitioner liable for the payment of the damages adjudged by the county commissioners, or any part thereof, but the commissioners may in their discretion give judgment against the petitioners for the costs incurred by any person defending against the claim of the petitioners, where the case shall be decided in favor of such defendant.

26. If no objection be made to the return of the examiners at the meeting of the county commissioners next succeeding the meeting at which said return shall be made, the county commissioners may proceed to pass judgment thereon, and affirm or reject the same or order it to be amended, in their discretion, or may continue over the proceedings to their next meeting, and so on from time to time, so long as they may think proper.

27. The examiners shall be entitled to a compensation for their services and attendance not exceeding two dollars a day, to be ascertained by the county commissioners, which, with all charges arising from the survey or attendance of witnesses or other expenses, shall in the discretion of the county commissioners be paid by the petitioners, or levied, collected and paid by the county, or apportioned between the petitioners and the county as heretofore directed.

28. In all cases where the county commissioners shall adjudge that a road be opened or altered, they shall at the usual time for levying taxes, levy on the assessable property of the county a sum sufficient to open or alter said road, and also sufficient to pay the damages awarded, if it shall have been adjudged that the damages be paid by the county, or such proportion of the said sums as shall have been adjudged to be paid by the county, and it shall be the duty of the county commissioners to open or alter the road as soon as it can conveniently be done.