

58. If the examiners on the part of adjoining counties cannot agree as to the relative amount each county shall pay of the costs and expenses of building or repairing any bridge, they, or a majority of them on the part of each county, shall each appoint an arbitrator to determine the matter in dispute; and if the arbitrators cannot agree, they shall appoint an umpire, who shall not be a resident of either county, and the award and determination of the arbitrators or umpire shall be final and conclusive in the matter submitted.

59. Nothing contained in this article shall authorize any county commissioners to build, or order to be built, any drawbridge, or any bridge across a navigable river.

60. In all cases, upon representation in writing of any citizen or citizens of any county in which the county commissioners may determine to build or repair any bridge, or unite with an adjoining county to build or repair any bridge between the said adjoining counties, filed before a contract for building or repairing has been made, that the said determination of the county commissioners is inexpedient, and desiring an appeal from such determination, the county commissioners shall grant such appeal and cease all further proceedings until the appeal is decided by the Circuit Court for the county.

61. Upon such appeal being taken, the county commissioners shall immediately cause to be filed with the clerk of the Circuit Court, all records, acts, papers and proceedings, or copies thereof, which may by the appellant be required, with full opportunity for him or his counsel to examine the books and papers of the commissioners relative to the matter, and thereupon the Circuit Court shall proceed to try and determine the matter according to justice and right, with or without the aid of a jury, as the parties may agree or the court may order.

62. In all cases where the appeal is not sustained the appellant shall pay the costs, and in all other cases the court shall direct the costs to be paid in such manner and by such party as it may deem equitable and just, and the county commissioners shall be the appellee in such appeal, and shall levy as part of the county charges, and pay whatever costs and charges are so ordered to be paid by them, and all incidental expenses not herein provided for.