

they may award damages, and the amount thereof, and the sum or amount each owner or possessor or person benefited shall be bound to pay as his proportion of the cost or expense of cutting such ditch or ditches, and of the damages, if any shall be awarded; and a majority of said commissioners may determine any matter.

69. They shall, if they consider that the making such ditch or ditches will injure any person through or upon whose lands the same shall be laid out, award to such person such damages as they may think just, to be paid by the persons chargeable with the costs and expenses of making such ditch or ditches, and to be paid or tendered before cutting the ditch or ditches.

70. All persons through whose lands such ditches shall be laid out, or whose lands are in the neighborhood of, and drain into the same, and who will derive benefit therefrom, shall contribute to the cost and expense of making the same; and the said commissioners shall adjudge thereof, and shall assess (by way of tax) upon such persons respectively a sum proportioned to the advantages they may receive.

71. The sum so levied shall be appropriated to the making of such ditches, and to the payment of the damages awarded, (if any,) and the costs of said commission.

72. The said commissioners may adopt any ditch already made, as a part of a ditch to be laid out under this article; and shall allow the owners thereof a fair compensation, to be paid by those benefited; *Provided*, that the owner or owners of said ditch shall be taxed their just proportion of the cost of the whole ditch.

73. Any person who may be injured by the making of any ditch laid out as aforesaid, or who shall be assessed for any part of the costs thereof, may apply to the county commissioners at any time before the confirmation of the return, for an order of review, and the county commissioners may, in their discretion, grant such order, and appoint other commissioners, to perform the same duty as under the original commission.

74. The commissioners appointed under any order, original or of review, shall, within one month after the confirmation of their report, call together the taxables rated for such ditch or