

back to said examiners the awards, plats and all other proceedings for alteration, correction or amendments, and from any final action, whether of ratification or rejection of the report of the examiners by the said Road Directors, any person interested may appeal to the Circuit Court for Allegany County; provided said appeal is taken within thirty days from the passage of such final order of ratification or rejection; and provided further that the costs, as estimated by the said Road Directors, in case of appeal, shall be paid or tendered to the clerk of the Circuit Court for Allegany County within thirty days from the date of said appeal, which said clerk shall at once notify the chairman of the Road Directors that such costs have been paid, whereupon the said Road Directors shall forthwith send up the record of said court; and in case the costs of appeal are not so paid within said period, it shall be lawful for the Road Directors to proceed to act in the premises as if no such appeal had been taken; and in case any appeal is taken to the Circuit Court for said county, and a motion is filed to quash the proceedings in said case, or in any event if it may seem proper to the court, and of the proceedings may be amended as to matter of form so that the case may be tried on its merits and the purposes of justice subserved, or the court may, in its discretion, remand said case to the Road Directors for alterations, correction or amendment; and all persons so appealing to the Circuit Court for Allegany County shall be secured in the right to a jury trial; and the said court shall direct the sheriff of said county to summon twelve or more persons qualified to be jurors and shall impanel any twelve disinterested persons so summoned to try any question of fact, and if necessary to view any property in question and to determine the proper amount of damages to be paid and of benefit due on account of the same, and when final judgment is entered by the Circuit Court in any case, said court may determine whether the costs shall be paid by the appellant or by the appellee.

Costs of appeal.

Circuit Court  
to determine.

Applications  
for new road,  
etc.

216N. The said Road Directors shall not advertise any notice of application for opening any new road or widening, straightening, altering or closing any old road or part of any old road, unless the parties interested in said application shall pay to the Treasurer of Allegany County such sum or sums of money as said Road Directors may estimate shall be necessary to pay the expenses of advertising, surveying, making plat and the per diem of examiners, and any other expenses that may be incurred before the proceedings in the case shall be finally ratified and ordered to be recorded; and whenever any such application shall be finally and favorably acted upon, then in that