

road or levied on the county, or may direct that the same be paid by the petitioners and the county, in such proportion as they may deem just.

See notes to sec. 143.

An. Code, sec. 100. 1904, sec. 99. 1888, sec. 95. 1853, ch. 220, sec. 9.

154. The damages shall in all cases be paid to the respective parties or their guardians, agents or attorneys, before the road 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 personal representatives.

See notes to sec. 143.

An. Code, sec. 101. 1904, sec. 100. 1888, sec. 96. 1853, ch. 220, sec. 9. 1880, ch. 477.

155. The signing of any petition presented to the county commissioners for opening, altering or closing a public road shall not make any petitioner liable for the payment of any part of the damages adjudged by the county commissioners; but the county commissioners may, in their discretion, give judgment against the petitioners for the costs incurred by any person defending against the claim of the petitioners, when the case shall be decided in favor of such defendant; and the petitioners as aforesaid shall at all times be held responsible for and shall pay to the several persons entitled to receive the same all costs and expenses of every kind incurred by and through any proceedings held and taken in accordance with the provisions of this article, in relation to public roads, whenever the county commissioners shall refuse to order the opening, altering or closing of the road as petitioned for.

See notes to sec. 143.

An. Code, sec. 102. 1904, sec. 101. 1888, sec. 97. 1853, ch. 220, sec. 6.

156. 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.

That the return of examiner is ratified prematurely, is an irregularity to be corrected on appeal to the circuit court, and not a jurisdictional matter to be considered in court of appeals. *Smith v. Goldsborough*, 80 Md. 62.

See notes to sec. 143.

An. Code, sec. 103. 1904, sec. 102. 1888, sec. 98. 1853, ch. 220, sec. 12.

157. 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.

See notes to sec. 143.