

promote the public convenience, and shall cause a plat of the same and also of the old road to be made out under the direction of the Allegany County Roads Engineer, and shall return the same, together with a full report of their proceedings under their hands to the Road Directors, with the reasons on which their opinions are founded. And if said examiners shall be of opinion that the road ought not be opened, altered or closed, they shall report their opinion to the Road Directors, under their hands, together with the reasons upon which it is founded.

1904, ch. 262, sec. 216M.

556. Whenever any road shall be located and surveyed as a public road, a board of examiners shall make an estimate of the cost of making said road and also the damages, if any, to be paid, and shall assess the damages and benefits caused thereby upon the persons interested in such properties as they may deem just and proper, and shall cause notice to be given to all persons assessed of their respective assessments. And to all persons to whom damages shall be awarded of their respective awards by publishing in one or more newspapers of Allegany County once a week for two successive weeks; and that objections thereto may be filed with the said Road Directors within thirty days from the first publication of said notice, and if any person or body corporate shall feel aggrieved by the award, assessment or report of said board of examiners, he, she or it, within thirty days from the first publication of said notice, shall file his or its objection in writing with the said Road Directors; and the said Road Directors, after five days' notice to all persons interested, or as soon thereafter as practicable, shall proceed to consider the award, assessment, plat and other proceedings in said case, or may, in their discretion, send 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 ap-