

pealing 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.

1904, ch. 262, sec. 216N.

**557.** 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 event the said Road Directors shall give an order or orders upon the said County Treasurer to the person or persons who may have paid such sum or sums to said Treasurer for the purpose aforesaid for the amount or amounts respectively paid by them.

1904, ch. 262, sec. 216-O.

**558.** When no objections shall have been filed within the time hereinafter designated, or if objections shall have been filed and shall have been finally overruled, and the road petitioned for shall have been finally allowed and confirmed by the Road Directors, or when, if an appeal shall have been taken to the Circuit Court and the action of the Road Directors shall have been confirmed by said court, then in every such case the said Road Directors shall record or cause to be recorded such road as a public road of Allegany County, and the award or awards for damages shall be paid by the Road Directors by means of orders on the County Treasurer to the person or persons or body corporate entitled to receive the same within ninety days from the ratification of said award and report, and the award, if it shall be for the benefits accrued to the property owners, shall be considered a tax and lien upon the property against which the same shall be assessed and may be collected by the said Road Directors by suit against the owners of such property, or may be collected and enforced in any other manner provided by law for the collection of taxes and the enforcement of liens against real estate, and the same shall be paid over to the Treasurer of said county within ninety days from the time the award and report are finally ratified and confirmed, as aforesaid; and if not then paid, the same shall be collected by the Road Directors by process of law as above provided; provided, however, that thirty days' notice shall