

county, or in case of a State road, to the State Roads Commission. The Drain Commissioners appointed by the County Commissioners to locate, lay off, open, straighten, clean out, repair or extend any ditch, or drain, or to make any assessments for the use and maintenance of any ditch or drain, before proceeding to do so, shall give at least ten days' previous notice of their intention to proceed with the execution of their commission, by notice set up at four public places in the neighborhood of said ditch or drain, and by notice inserted in a newspaper published in the county in which land taxes for the said ditch are situated.

An. Code, 1924, sec. 131. 1920, ch. 507, sec. 81AV.

132. The County Commissioners shall at their first meeting, after receiving any report or return of any such Drain Commissioners, appoint a day to hear objections to such report or return, and to correct, ratify and confirm, or reject the same; and they shall give at least twenty days' previous notice of the time and place of such hearing in a newspaper published in the county in which the lands taxed for the said ditch are situated, and by written or printed notice mailed to each taxable named in such report or return.

An. Code, 1924, sec. 132. 1920, ch. 507, sec. 81AW.

133. Partition or line ditches or drains between the adjoining lands of different proprietors, now existing, or which may hereafter be established by mutual consent in any county, shall be made, cleaned out and repaired by the parties respectively owning or occupying the said adjoining lands, at their joint and equal expense; and upon failure of either of said parties to make, cut, dig, clean out and keep in good order his portion of said line, ditch or drain, or to pay his equal share of the costs thereof, he shall be answerable to the other party making the expenditure therefor in an action of debt. If either one of the two adjoining proprietors of lands desires to construct, make, dig out or repair such partition drain or line ditch or drain as a boundary line between his own lands and those of the adjoining proprietor (in case the same cannot be done by agreement) he shall proceed to give at least thirty days' notice to the owner of the adjoining lands, or to his tenant or agent, of such partition, drain or line ditch or of repairs thereon being necessary, and of his intention to proceed to make the same himself in case said adjoining proprietor during said time neglects or refuses to assist therein to the extent of bearing one-half the cost and expense thereof; and if said adjoining owner shall fail or neglect within the said thirty days to assist him as aforesaid therein, he may proceed to construct, make, dig out or repair the said partition, drain or line ditch constructing or repairing the same to a sufficient width and depth on the said boundary line with the boundary line in the centre of said ditch, at his own costs and expense and in the ordinary way by paying the current prices for labor, and he shall keep an itemized account of such costs of construction or repairs, and the said adjoining proprietor shall be responsible and liable for one-half thereof, to be recovered by him from said adjoining proprietor as in action of debt before a Justice of the Peace if the same be under one hundred dollars, and before the Circuit Court if a half thereof amounts to more than one hundred dollars. Provided, the said adjoining proprietor, after receiving said notice, if he thinks the making or repairing of such partition drain or line ditch unnecessary, shall have the right to an arbitration thereon in the following manner: He shall