

70. And, at the time and place named in such notice, the examiners shall meet and open said proposals, and shall award the work to the lowest bidder, all things being considered, who shall thereupon enter into a contract with said examiners, and give bond with security by them approved, in a penalty double the amount of the price of the work, for the faithful performance of said work.

Id s 56
1856, c 308, s 6
Contract to
lowest bidder

Bond of
contractor.

71. The examiners, during the progress of the work and up to its completion, shall at any time have full authority to examine and direct the same, and, when completed, shall receive the same and open it for public use, and notify the commissioners of their respective counties thereof, and the said commissioners shall thereupon pay or levy for their respective proportions of the cost of the said work according to the contract.

Id s 57
1856, c 308, s 6.
Examiners to
superintend
building.

72. If the examiners on the part of adjoining counties cannot agree as to the relative amount each county shall pay of the costs and expenses of building or repairing any bridge, they, or a majority of them on the part of each county, shall each appoint an arbitrator to determine the matter in dispute; and, if the arbitrators cannot agree, they shall appoint an umpire, who shall not be a resident of either county, and the award and determination of the arbitrators or umpire shall be final and conclusive in the matter submitted.

Id s 58
1856, c 308, s 7.
When arbitra-
tors to be
appointed

Umpire

73. Nothing contained in this article shall authorize any county commissioners to build, or order to be built, any drawbridge, or any bridge across a navigable river.

Id s 59.
1856, c 308, s 8
Not to be built
over navigable
river.

74. In all cases, upon representation in writing of any citizen or citizens of any county in which the county commissioners may determine to build or repair any bridge, or unite with an adjoining county to build or repair any bridge between the said adjoining counties, filed before a contract for building or repairing has been made, that the said determination of the county commissioners is inexpedient, and desiring an appeal from such determination, the county commissioners shall grant such appeal and cease all further proceedings until the appeal is decided by the Circuit Court for the county.

Id s 60
1856, c 308, s 9
Appeal to
Circuit Court

75. Upon such appeal being taken, the county commissioners shall immediately cause to be filed with the clerk of the Circuit Court all records, acts, papers, and proceedings, or copies thereof, which may by the appellant be required, with full opportunity for him or his counsel to examine the books and papers of the commissioners relative to the matter, and thereupon the Circuit Court shall proceed to try and determine the matter according to justice and right, with or without the aid of a jury, as the parties may agree or the court may order.

Id s 61
1856, c 308, s 9
Clerk to trans-
mit papers on
appeal

Right to trial
by jury.

76. In all cases where the appeal is not sustained the appellant shall pay the costs, and in all other cases the court shall direct the costs to be paid in such manner and by such party as it may deem equitable and just, and the county commissioners shall be the ap-

Id s 62
1856, c 308, s 9
Costs of appeal.