

ings in the matter. Whenever a street, avenue or alley, or part thereof, or a thoroughfare, shall be completed, or any work provided by this sub-title of this article shall be finished, and all the costs and charges and expenses of the same have been paid, and there shall be a balance of the assessments for benefits on hand, the said amount shall be refunded *pro rata* to the parties who have paid in the same.

1876, ch. 399.

229. Whenever it may be proposed to condemn, open, grade and construct a thoroughfare from one public highway or thoroughfare to another, and it may be deemed advisable by the persons making application for the same to use the beds of portions of different streets and avenues for that purpose, application may be made for condemning, opening, grading and constructing such portions of said streets and avenues as may be required; and for the purpose of condemning, opening, grading and constructing such proposed thoroughfare, the line selected, including portions of different streets and avenues, shall be recognized, considered and acted upon as if it was a continuous line of any street or avenue; and owners of a majority of front feet of ground bounding and fronting on the line of said proposed thoroughfare, may make application to the county commissioners in writing, setting forth what street or avenue or what portion of any street or avenue they want condemned, opened, graded and constructed for such proposed thoroughfare; and when said application is presented, the county commissioners shall appoint one examiner or three examiners in the manner hereinafter provided for, whose duty it shall be to condemn, open, grade and construct such streets or avenues, or portions thereof as may be applied for, for such a thoroughfare, in accordance with said application and the provisions of this sub-title of this article; and all proceedings which can be had and taken for the condemnation, opening, grading and construction of any street, avenue or alley, or portion thereof, under the provisions of this sub-title of this article, can and shall be had and taken for the condemnation, opening, grading and construction of any street or avenue, or part of any street or avenue for such a thoroughfare.

Ibid.

230. All streets and avenues, or parts of streets and avenues that may be condemned, opened, graded and constructed, shall