

sioners deem it expedient that the same be re-surveyed, they shall cause the same to be surveyed by the country surveyor and a description and plat made thereof and recorded and filed among their records. Whenever possible such description shall be made by reference to the original description of said road, when the same was acquired, by grant or condemnation, if such description can be found, but if the same can not be found, then such description and plat shall be made of said road as actually laid out and used, the existing centre of the road being taken for the centre of the road as re-surveyed, the width thereof as re-surveyed, marked and plated by the surveyor, being in all cases not less than thirty feet; upon a return of said certificate and plat, notice shall be published in at least one newspaper in the county that the same without objection will be confirmed at the expiration of twenty days.

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Survey to be made.

Section 138 B. After the expiration of twenty days from the returns of the surveyor, the County Commissioners, if no objections be made, or after hearing or considering any objection that may be made, shall proceed to pass judgment thereon and affirm or reject the same, or order it to be amended in their discretion, and may continue over their proceedings to their next meeting, and so from time to time so long as they shall in their judgment think such continuance necessary for the purpose of justice; and the final judgment of said County Commissioners, or the judgment of the Circuit Court, in the event of an appeal by any person interested in relation to such road, and the plat thereof as confirmed by said judgment, shall be recorded among the proceedings of the County Commissioners in a separate book, to be by them provided for that purpose; the re-survey of such road as established and confirmed by the judgment of the County Commissioners or of the Circuit Court in the event of an appeal, or certified copies of the record thereof, shall be taken and received as full and sufficient evidence of the true location of such roads in all the courts of this State.

Affirm or reject said survey.

Section 138 c. It shall not be lawful for any person in Carroll county to erect buildings or to fence in gardens or burial grounds, obstructing any contemplated county road when said road has been petitioned for by citizens of Carroll county, until the application has been refused by the County Commissioners.

Unlawful to erect buildings, etc.