

SEC. ... That whenever examiners shall be appointed in Howard county for the purpose of opening, altering or closing a public road in said county, they, or a majority of them, shall value and ascertain the damages and benefits, respectively, that may be sustained by each person damaged or benefited thereby, if the application shall be for opening or altering a road, by opening or altering the same, taking into consideration the advantages and disadvantages of the same, if any; and they shall make such ascertainment a part of their return to the county commissioners, and the same, with the rest of their proceedings, shall be subject to the ratification, rejection or alteration of the county commissioners, in such manner as in their judgment shall be just.

Opening and closing public roads.

Proceedings subject to ratification.

SEC. ... That the county commissioners shall determine whether the benefits adjudged by the examiners, or by themselves, the expenses of opening, making or altering the road in question, and the cost of all proceedings relating thereto shall be paid by the persons petitioning, those benefited, or the county, or may direct that the same be paid by the petitioners, those benefited, and the county in such proportions as they may deem just; and after the final ascertainment by the county commissioners of the proportions in which and by whom such benefits shall be paid, the same shall be a debt from the person or persons against whom the same shall have been assessed, to the county commissioners, but no damages or benefits shall be payable until after the final disposition of any appeal to the circuit court for said county from the assessment by the county commissioners of damages or benefits to or against any person or persons.

Who to determine.

Final ascertainment.

SEC. 2. *And be it enacted*, That this act shall take effect from the date of its passage.

Effective.

Approved March 29, 1888.