

entitled to recover or be allowed his costs in [said action or proceeding at law or in equity or in] any proceeding before an orphan's court may have included as his costs such reasonable sum as may have been paid by him to such surety company for executing such bond or any renewal thereof or substitution for the same, during the continuance of the trusts; and all executors [.] and administrators [, trustees, receivers, committees, guardians or other fiduciaries] who file such bonds shall be entitled to collect the reasonable costs of the premium or premiums thereon and be allowed the same from the funds and assets in their hands.

SEC. 20. *And be it further enacted,* That Sections 46 and 47 of Article 25 of the Code, title "County Commissioners", sub-title "Bridges"; Sections 67 and 114 of Article 25 of the Code, title "County Commissioners", sub-title "Draining Lands"; Section 138 of Article 25 of the Code, title "County Commissioners", sub-title "Public Roads"; and Section 199 of Article 25 of the Code, title "County Commissioners", sub-title "Public Watershed Associations", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

46. In all cases, upon representation in writing of any citizen or 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].

47. 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 be required by] *afford* the appellant, *or his counsel,* [with] full opportunity [for him or his counsel] to examine the books and papers of the commissioners relative to the matter. [; and thereupon t] 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.

67. Any person feeling himself aggrieved by any determination of the county commissioners, or by any proceedings had under this sub-title relating to drains, may appeal to the circuit court of the county in which such determination was made or proceedings were had, and shall be entitled to trial by jury, at the election of either party [; provided such appeal shall be taken within thirty days from the date such determination was made or such proceedings were had] and the judgment rendered thereupon shall be final between the parties thereto.

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If it shall be necessary to acquire a right of way or an outlet over and through lands not affected by the drainage, and the same cannot be acquired by purchase, then and in such event the power of