

the location of the road to be improved, the extent and character of the improvement, and the probable cost thereof; and the said County Commissioners shall thereupon order the County Road Engineer to examine the location and purpose set forth in the petition; and if he shall be of the opinion that the public interest will be promoted thereby, he shall report his determination to the County Commissioners, setting forth his reason for such determination, and an estimate of the cost of such improvements; and if the County Commissioners shall approve the report of the said County Road Engineer, they shall direct the expenditure of any amount not exceeding one-half the total of said estimate, to be paid out of the road levy or of other moneys belonging to the county; provided, that the petitioners for such improvements shall first pay into the treasury of the county an amount not less than one-half of said estimate; all of said money to be expended under the direction of the County Road Engineer.

1912, ch. 331, sec. 123.

244. The County Commissioners of Wicomico County shall have the power by ordinance or resolution of condemning, laying out, opening, extending and making new roads and for altering, straightening, widening, grading, improving or closing up in whole or in part any existing road, and for removing trees, posts and other obstructions and for laying out public drains, watercourses and public landings on any navigable waters in Wicomico county, when in their opinion the public necessity or convenience require the same, without any previous application or petition; the County Commissioners may contract with the owner or owners of the land for the purpose of laying out, opening, extending and making new roads, and for altering, straightening, widening, grading, improving or closing up in whole or in part any existing road or for a public drain or public landing, for the right of way over the land necessary for any said road or for land for public drains and public landings if he, she or they be competent to contract; and in case the said County Commissioners shall so contract they shall cause a plat of the said road to be made by a competent surveyor and filed and recorded in the office of the Clerk of the Circuit Court for Wicomico County, with the deed or deeds conveying the land so acquired, which plat shall be referred to in and shall be a part of said deed or deeds, and the lands so conveyed shall be and become thenceforth the property of Wicomico county, and be subject to the purposes and uses for which granted; if, however, the County Commissioners aforesaid shall proceed by condemnation in the exercise of the powers herein granted, all benefits or damages done, suffered or incurred by laying out, opening and making of new roads, or by altering, straightening, widening, grading, improving or closing up, in part or in whole, any existing road or laying out public drains, water courses or landings, shall be determined or assessed by three disinterested persons, freeholders and residents of Wicomico county, and above the age of twenty-one years, who shall be appointed by the County Commissioners aforesaid, and shall, within ten days after notice of their appointment, take an oath before a