

cents on the one hundred dollars of the assessable basis of Wicomico county, unless otherwise ordered by the County Commissioners. And all other money expended beyond the amount of said road fund shall be included in the report of the County Road Engineer as well as money expended from the road fund.

121. Any person appointed under the provisions of this act, whose duty it shall be to keep accounts or make reports and shall fail to do so, or who shall wilfully make false reports to accounts shall be guilty of a misdemeanor, and on indictment and conviction in the Circuit Court for Wicomico County shall be subject to a fine in the discretion of the Court not exceeding five hundred dollars, and in default of payment of fine and costs shall be confined in the county jail of Wicomico county until fine and costs are paid. And such criminal prosecution shall not preclude the County Commissioners from recovery by suit for neglect of duty or fraud, or by suit on his or their bond.

122. Whenever any person or persons shall desire to improve any public road or any portion of any public road in said county to any extent beyond that contemplated by the County Road Engineer, he or they may make application to the County Commissioners by petition, setting forth 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.

123. 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