

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 justice of the peace of Wicomico county that they will faithfully and fairly and without partiality or prejudice value and assess the cost and damages to be suffered and incurred by any person interested in the said property over, through and by which the said road, drain, waterway or landing is to be opened, closed, extended, widened, graded or improved; and also to estimate the benefits that may accrue therefrom to any such property owner, through and by which the said road, drain, waterway or landing is to be opened, closed, extended, widened, graded or improved or any property adjacent thereto, or any other property injured or benefited by said road, drain, watercourse or landing; they shall give at least fifteen days' notice in one or more newspapers published in Wicomico county of their purpose to lay out, open, extend, close up, widen, straighten, grade or improve the road, drain, water-