

sion, and if said board shall refuse or neglect to make such repairs within thirty days from the date of such notification by said state roads commission, said county shall not thereafter receive any further assistance provided for in this sub-title for state-aided roads until such repairs have been made; and any five taxpayers of such county may apply to the circuit court of said county for a writ of mandamus to compel such board to make such repairs as aforesaid; and when such application is made, the court, upon a rule to show cause or otherwise, in such manner as the court shall prescribe, shall ascertain and determine whether such road as aforesaid is in a proper state of repair, and it may issue a mandamus requiring the said board to make the necessary repairs, and may also, in its discretion, allow to the attorney of the applicants a reasonable counsel fee, to be paid by said county, and the circuit court of any county where the powers conferred upon the state roads commission or its predecessor have been, or are about to be exercised, shall have original jurisdiction of any cause of action or complaint which may be brought by the state roads commission, the county commissioners for such county, or any person or corporation aggrieved, for a violation or contemplated violation of any of the provisions of this sub-title or contract thereunder with respect to any road or roads within such county; and process against said state roads commission may be served upon any member or officer of said commission.

See notes to sec. 67.

1904, art. 91, sec. 46. 1904, ch. 225, sec. 14. 1910, ch. 217, sec. 46 (p. 320).

79. In any county in which the control of the public roads is now or may hereafter be vested in any body other than the board of county commissioners, said body shall have all the powers and privileges conferred by this sub-title on the board of county commissioners and be subject to all the duties and obligations imposed by the terms of this sub-title upon the board of county commissioners of the respective counties of the State.

See notes to sec. 67.

Ibid. sec. 47. 1904, ch. 225, sec. 15. 1910, ch. 217, sec. 47 (p. 320).

80. Nothing in this sub-title shall be taken to alter, abridge, or in any way affect the present method of road construction or repair by the respective counties, at their own expense or otherwise, as now authorized by law.

There is no conflict between this section and section 67. Purpose of this section. *Fout v. Frederick County*, 105 Md. 561; *Frederick County v. Fout*, 110 Md. 167 (both cases decided prior to the act of 1910, ch. 217).

See notes to sec. 67.

Ibid. sec. 48. 1904, ch. 225, sec. 16. 1910, ch. 217, sec. 48 (p. 320).

81. The sum of two hundred thousand dollars annually, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of carry-