

such proportion of the said sums as shall have been adjudged to be paid by the county; and it shall be the duty of the county commissioners to open or alter the road as soon as it can conveniently be done.*

See sec. 7 and notes to sec. 89.

As to the right of appeal from the action of the county commissioners, see art. 5, sec. 84. See also, *Miles v. Stevenson*, 80 Md. 367.

Public Landings.

1904, art. 25, sec. 122. 1888, art. 25, sec. 118. 1860, art. 28, sec. 63. 1823, ch. 120, sec. 1. 1890, ch. 438.

105. In all cases where the public convenience requires it, the county commissioners shall have power to establish a public landing upon any navigable river, canal, bay, sound or other navigable waters.

Ibid. sec. 123. 1888, art. 25, sec. 119. 1860, art. 28, sec. 64. 1823, ch. 120, sec. 2.

106. Upon all applications to establish a public landing the same proceedings shall be had as on applications to open a public road.

Schools.

Ibid. sec. 124. 1894, ch. 41, sec. 120.

107. The county commissioners of each county in this State, in their capacity of corporations, are invested with full power to receive in trust and to hold and control, for the purposes of such trusts, all money or other property of whatsoever description which may hereafter be bestowed upon such corporations by will, deed, or in any other form of gift or conveyance, in trust, for purposes of education, and to provide by resolution or otherwise for the execution of said trusts in the mode prescribed by the will, deed or other instrument creating the same.

See art. 77, sec. 175.

Ibid. sec. 125. 1894, ch. 41, sec. 121.

108. The state's attorneys of the several counties are charged with the duty of seeing that such trusts are carried into effect in their respective counties; and in case of any neglect on the part of the county commissioners, it shall be the duty of the state's attorney in the county in which such neglect occurs to cause proper proceedings to be instituted in the circuit court for said county to compel the execution of the said trust.

*Sections 104 to 121 of article 25 of the code of 1904, sub-title "Private Roads," were declared to be unconstitutional in *Arnsperger v. Crawford*, 101 Md. 225. Although this decision was apparently *obiter dictum*—the appeal being dismissed—it is thought proper to omit said sections. For other cases affecting said sections, see *Jay v. Michael*, 92 Md. 209; *Owings v. Worthington*, 10 G. & J. 293; *Miles v. Stevenson*, 80 Md. 367; *Hoshall v. Hoffacker*, 11 Md. 364.