

commission may sue and is liable to be sued. When the state roads commission purchased the Conowingo Bridge under this section it had power to sue for rental due by a telegraph company under a contract with the bridge company for stringing its wires, etc., along said bridge. *State Roads Commission v. Postal Tel. Co.*, 123 Md. 76.

A telegraph company which had been paying rental for the use of the Conowingo Bridge was not entitled to the free use of such bridge because it was purchased by the state roads commission; the state roads commission may recover for the use of the bridge if the state could. See notes to article 23, section 359. *Postal Tel. Co. v. State Roads Commission*, 127 Md. 245.

See notes to section 34.

57.

See notes to section 34.

60.

See notes to section 34.

1910, ch. 116, sec. 32Z3 (p. 311). 1918, ch. 306.

61. For the purpose of building and constructing or maintaining any roads, bridges and highways under the provisions of this act, or for the purpose of working in any stone quarry operated by said commission, the said commission is hereby authorized to make requisitions on the State Board of Prison Control for as many inmates of the Maryland Penitentiary and the Maryland House of Correction as may be necessary for said purpose; and the said State Board of Prison Control is hereby directed to furnish the same with such guards or keepers as can be spared from their duties at said institutions; and any additional guards or keepers necessary for the safe keeping of said inmates shall be furnished and appointed by said commission. The said commission shall in conjunction with the aforesaid State Board of Prison Control provide for the maintenance and safe keeping of said inmates of the House of Correction and the Maryland Penitentiary while so employed.

63.

See notes to section 34.

66.

Where a certain sum or so much thereof as may be necessary is appropriated for the building of roads during a fiscal year, but a portion of such sum is not withdrawn from the treasury during that year though same is necessary for the accomplishment of the purpose named in the act, such unexpended balance should not revert to the general treasury, and if it does so revert should be restored to the credit of the roads commission. The legislative intent controls. *McMullen v. Zouck*, 130 Md. 543.

See notes to article 3, section 34 of the Maryland Constitution, and to article 91, sections 67 and 80 of the code.

1904, art. 91, sec. 34. 1904, ch. 225, sec. 2. 1910, ch. 217, sec. 34 (p. 315).
1916, ch. 645, sec. 67.

67. Whenever the owners of two-thirds of the front feet of the lands binding upon any public road or section of road, not less than one-half mile long, shall present a petition to the County Commissioners of