

An. Code, sec. 12. 1904, sec. 12. 1888, sec. 12. 1853, ch. 220, sec. 1.

13. They shall have power to open, alter or close any public road or roads in their respective counties.

What is a "public road"? *State v. Price*, 21 Md. 454.

An agreement with a private individual that upon his opening two new roads and their being graded and bridged to the satisfaction of the roads engineer and deeded to the county commissioners, an existing road through his property would be closed, upheld under this section and the local act of 1900, ch. 685. *Riggs v. Winterode*, 100 Md. 443.

Cited but not construed in *Miles v. Stevenson*, 80 Md. 367.

See sec. 1 and notes, and sec. 142, *et seq.*, and notes to art. 5, sec. 90.

An. Code, sec. 13. 1904, sec. 13. 1888, sec. 13. 1856, ch. 308, sec. 1. 1906, ch. 249.

14. They may build and repair bridges and levy upon the property of the county therefor.

The duty conferred by this section is not discretionary but imperative. The county commissioners are liable to one injured by reason of their failure to perform such duty. Bridge held to be a county bridge—fact that a private corporation has contracted to keep it in repair, does not relieve county commissioners from liability. *Eyler v. Allegany County*, 49 Md. 269.

A party injured by reason of a defective bridge or road, has his election whether he will sue county commissioners or the bond of the road supervisor. *Eyler v. Allegany County*, 49 Md. 273; *Calvert County v. Gibson*, 36 Md. 235.

Mandamus does not lie to compel the county commissioners to repair a bridge. *Bembe v. Anne Arundel County*, 94 Md. 331.

This section was repealed as to Prince George's county by the act of 1900, ch. 346. *Blundon v. Crosier*, 93 Md. 359. (See also act 1910, ch. 90.)

Cited but not construed in *Miles v. Stevenson*, 80 Md. 367; *Baltimore County v. Baker*, 44 Md. 10.

See sec. 1 and notes, and sec. 21, *et seq.*

An. Code, sec. 14. 1904, sec. 14. 1888, sec. 14. 1866, ch. 134. 1872, ch. 371.

15. The county commissioners of the several counties shall each receive three dollars per day for each day they shall be engaged in the discharge of their duties, and mileage at the rate of ten cents for every mile over five miles from their places of residence, except the county commissioners of Baltimore county, who shall have and receive a salary of one thousand dollars per year each, including mileage, payable monthly by the treasurer of said county; and said county commissioners of Baltimore county are hereby required and directed to meet at their office in the court house in Towson, on Tuesday and Wednesday of each week, and to meet daily for the transaction of the public business from the first Tuesday in March until after the annual levy is made.

An. Code, sec. 15. 1904, sec. 15. 1888, sec. 15. 1870, ch. 333

16. The county commissioners of any county in this State, in awarding any contract for work to be done and in agreeing and contracting for the doing thereof, shall make every such contract in writing, and shall require and demand of the party or parties with whom said agreement or contract is made full and ample security by bond for the true and proper performance of said work in accordance with the terms and specifications of said agreement or contract.