

public or private, the said county commissioners shall have power to determine whether public safety or convenience requires that such public road shall be carried across such railroad or public or private road, at the place in question, by another grade, or over or under grade crossing, and upon such determination to make such changes in grade and construction of such public road as may be necessary for such overgrade or undergrade crossing, as the case may be, and to construct and provide for the construction of such bridges, archways or culverts as may be needed for such overgrade or undergrade crossings, and to provide, by contract or otherwise, for the maintenance thereof. Said county commissioners shall have power to determine, after such reasonable opportunity as it may fix, for notice to all persons or corporations in interest, how much, if any, of the cost of the work made necessary by such change of grade, or the cost of the construction or maintenance of such overgrade or undergrade crossing, or of such bridges, archways or culverts as may be needful therefor, shall be borne by the county, and how much of the same in each instance shall be borne by any person or persons, corporation or corporations so as aforesaid in interest.

1912, ch. 790, sec. 466.

**764.** In order that any claim or claims of adjoining property owners may be fairly dealt with, the said county commissioners shall have power, on presentation of such claim, after such reasonable notice as they may fix, to the claimants and all other parties interested, to determine such claim or claims, and fix the amount thereof, and at the same time to determine what part thereof, if any, shall be paid by the several parties interested, and benefited by such change, and to compel payments of the amounts so assessed in the same manner as assessments are collected in the case of the opening of new roads or condemnation as provided by this subtitle of this Article, the parties so assessed or interested to have the right to appeal from the order of the said commissioners as herein provided.

1910, ch. 484, sec. 177P. 1912, ch. 109, sec. 177P. 1912, ch. 790, sec. 467.  
1918, ch. 229, sec. 177P.

**765.** Said County Commissioners, in addition to their other powers and duties under this Act, shall have full charge and control of all drains and ditches used in connection with the public highways, roads, streets, avenues, lanes and alleys of the county. Whenever it shall become necessary, in their discretion, to lay out or construct a drain or ditch across or under the property of an individual or corporation for the purpose of draining the surface water from any public highway heretofore existing or hereafter dedicated by grant, condemned or declared to be a public highway, as provided in this Act, said County Commissioners shall have the power to lay out and construct the same in the manner and subject to the same provisions and restrictions, so far as the same may be applicable, as are provided herein for the opening, altering, relocating or closing of