

such street or avenue in accordance with such application and the provisions of this sub-title of this article; but such street or avenue shall be laid off in conformity with the streets and avenues of Baltimore city, and with the streets and avenues already laid off in Baltimore county, so far as practicable, and such other and further proceedings shall be had and taken in the matter of laying off such street or avenue as is provided in this section, for the extension of any street or avenue; all charges and expenses incurred in any proceedings under this section, shall be taxed proportionately upon the persons making the application, according to the number of front feet of ground represented in said application; and the amount of such charges and expenses shall be paid to the examiner or examiners before the plat of the street or avenue, with proper explanations, is returned and filed with the county commissioners; provided, that in case of an appeal to the circuit court, the court may determine whether the costs of the appeal shall be paid by the appellant or appellee.

1876, ch. 399.

**226.** Whenever the owners of a majority of front feet of ground bounding and fronting on any street, avenue or alley, or any part thereof, referred to in the preceding sections of this sub-title of this article, may desire to have said street, avenue or alley, or part thereof, condemned, opened, graded and constructed, they may make application to the county commissioners in writing, setting forth what portion of said street, avenue or alley they want condemned, opened, graded and constructed; but no application shall be entertained by the county commissioners for the opening, grading and construction of any street, avenue or alley, for a less distance than one square; and when the application is presented, the county commissioners shall appoint one examiner or three examiners, in the manner hereinafter provided for, whose duty it shall be to condemn, open, grade and construct such street, avenue or alley, or part thereof, in accordance with said application and the provisions of this sub-title of this article; and before any examiner or examiners shall proceed to act in the premises, he or they shall take an oath or affirmation before some justice of the peace of the State, in and for Baltimore county, that he or they will well and truly assess the damages and bene-