

or repairs, it shall be the duty of said board of county commissioners to make such a request to the commission, as set forth in section 33, upon the payment by the said petitioners of said ten per centum, or the giving by them of an approved bond to the county commissioners for the payment thereof at any time it may be demanded by said county commissioners upon the filing of a similar petition, and the taking of similar proceedings regarding the extension of any road which, in the opinion of said commission, has been properly improved, a similar request shall be made to the aforesaid commission by the board of county commissioners of the county where such extension lies, even though such proposed extension be less than a mile in length.

1904, ch. 225, sec. 3.

35. If the said commission, after the receipt of the notice mentioned in section 33, or that mentioned in section 34, and due examination, shall be of the opinion that the proposed construction or repair of roads mentioned in such notice would be generally promotive of the objects herein contemplated, and that the said road or proposed road is a right and proper one under the circumstances to be built or improved, and if the amount appropriated by the State under section 48 and apportioned by section 44 to the roads of the county in which said proposed road or extension is located shall be sufficient for the outlay necessary therefor, the said commission shall make or cause to be made necessary surveys, and draw up, or cause to be drawn up, plans and specifications for the proposed work, and shall furnish an estimate in detail of the cost of performing such work according to such plans and specifications.

Ibid. sec. 4.

36. The specifications shall require the construction and improvement, within a reasonable time, of a macadamized or of a telford or of other stone road, or of a road constructed of gravel, or of other good material, in such a manner that the same will be, with reasonable repairs thereto, at all seasons of the year, firm, smooth and convenient for travel.

Ibid. sec. 5.

37. The board of county commissioners so requesting plans and specifications of said commission shall, on the order of the said commission, and within one month of the receipt of said order, pay out of the funds of the county such cost of