

should be appointed to view the grounds for the purpose of opening, altering or closing a road, they shall appoint three persons as examiners, who shall be freeholders in the county, and not interested in or holding lands through which the road is proposed to be opened, altered or closed; but the appointment of examiners shall not prevent the said county commissioners at any time thereafter from contracting with the owner or owners, as above provided; and the county commissioners of any county are authorized, when the county roads cannot be conveniently drained by drains along the said county roads, to make the same upon the property outside the limits thereof; and they shall contract for the lands that may be required for that purpose, as above provided, or they may proceed to condemn the lands that may be necessary for the purpose under the provisions of sections 360 to 365, both inclusive of article 23, title Corporations.

Gist v. Owens, 95 Md. 305.

1888, art. 25, sec. 87. 1860, art. 28, sec. 16. 1853, ch. 220, sec. 4.

91. The said examiners before they proceed to act as such shall take an oath to execute the trust reposed in them by the commission to them issued, faithfully and without favor, affection or partiality; which oath shall be endorsed on the commission and returned therewith.

Ibid.

Ibid. sec. 88. 1860, art. 28, sec. 17. 1853, ch. 220, sec. 3.

92. They, or a majority of them, after giving thirty days' notice in the manner hereinbefore prescribed, shall meet on the premises and proceed to examine and determine whether the public convenience requires that the road should be opened, altered or closed, as the case may be.

Ibid.

Ibid. sec. 89. 1860, art. 28, sec. 18. 1853, ch. 220, sec. 3.

93. If the application be for opening or altering a road, they shall proceed to locate the same in such manner as will, in their judgment, best promote the public convenience, and shall cause a plot of the same, and also of the old road, where the application is to alter or close a road, to be made out, and shall return the same, together with a full report of their proceedings, under their hands, to the county commissioners, with the reasons on which their opinions are founded.

Ibid.