

new road or alteration to be made by a competent surveyor upon such location or route as in their judgment will best promote the public convenience.

95 B. Whenever the county commissioners shall decide that it is expedient that a road be opened or altered as provided in the preceding section, they may contract with the owner or owners of the land through which the said road is intended to run, for the right of way over the land required for the opening or altering of said road, if he, she or they be competent to contract; and in case the said county commissioners shall so contract, they shall cause said survey and plat to be recorded in the office of the clerk of the Circuit Court for said county, which said survey and plat shall be referred to in, and shall be a part of said deed or deeds; and the lands so conveyed shall be and become thenceforth the property of the county, in the same manner and to the same extent as the lands of other county roads, and no further, subject to the public's right of way over the same; and the said county commissioners shall also cause such survey and plat to be filed and recorded in their own office, with their other proceedings in connection with such public road.

Acquire
land for
drains.

95 C. It shall be lawful for the said county commissioners of said county to contract for land for drains for county roads or other public use or uses, which said land shall be the property of said county, subject to said use or uses; and the said county commissioners 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 before provided; or they may proceed to condemn the lands that may be necessary for the purpose under the provisions of section two hundred and forty-eight to two hundred and fifty-three, both inclusive, of article twenty-three of the Code of Public General Laws, title "Corporations."

Ex-
aminers.

95 D. Whenever the county commissioners, after having determined that the public convenience requires the opening, altering or closing of a public road, and after having determined upon the location which, in their opinion will best promote the public convenience, shall fail for any cause to contract with the owner or owners of the land necessary for such road, or if such owner or owners is or are *non compos mentis* or under age, 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 or altered, to appraise the