

and shall incur no debts not payable out of the funds derived from such levy or other sources; and said Commission shall not order to be paid from any district road fund or from the general road and bridge fund of the county, any sum in excess of any of said funds, and to this end the secretary of said Commission shall compile and place before the Commission at each regular meeting a detailed statement of the amounts expended from each fund since the beginning of the fiscal year, which, for the purposes of this sub-title, shall be January first of each year, and the amount to the credit of the general and each of the district road funds on the basis of the entire levy for such purposes for such year, and in addition thereto, shall append a statement to be furnished by the County Treasurer for that purpose, and the amount then actually in the hands of the County Treasurer to the credit of the Commission for road purposes at the date of such statement.

350. Whenever the owners of property binding upon any public road or street may desire to have the same improved to an extent beyond that contemplated by the Highways Commission, then if the owners of two-thirds of the lineal feet of property binding on such road or street shall petition the Commission for such improvement, and deposit with the Commission a sufficient sum of money, the same to be determined by the Commission, to cover the cost of necessary surveys and other necessary expenses of preliminary examination; it shall be the duty of the Commission to appoint three examiners, one to be selected by the petitioners, one to be a member of the Commission, and the other the Roads Engineer of the county, to examine into and report upon the need for such improvement and the cost thereof, and if the Commission shall determine after such report thereon that such improvement should be made, it shall determine the amount to be appropriated from the road moneys of the county or district for such improvement, and what proportion of the cost shall be paid by the petitioners and others interested in the work, such proportion not to be less than fifteen per cent. or more than fifty per cent. of such cost, and shall have the power to determine what individuals are to be damaged and what individuals are to be benefited thereby, and the amount of such individual damage and benefit, and to allow and assess the same; provided, the amount of individual damage and individual benefit shall not be finally fixed until notice shall be given to the person to be affected, and to have the opportunity to be heard, such person to have the right to appeal from the final decision of the Commission to the Circuit Court for the county. When all the assessments for benefits made by the Commission shall have been paid into the county