

SECTION 144. In all cases in which petitions are filed for the opening, altering or closing of public roads in Frederick County, outside the taxable limits of any incorporated town or village, the County Commissioners shall first determine whether the public convenience requires the opening, altering or closing of any public road, in whole or in part, as petitioned for, and to that end may visit in a body or by a committee of their own number appointed for that purpose, the locality in which it is proposed to open, alter or close such public road and ascertain the required conveniences of the community through which it is proposed such new, altered or closed road shall run, and if they shall be of the opinion that the public convenience of such community does require the opening of a new road, or the altering or closing of an old road, in whole or in part, as the case may be, but that such convenience would be better served by the adoption of a different location than that mentioned in the petition, they shall so determine and shall cause a survey and plat of the proposed 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.

SEC. 145. 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.

SEC. 146. It shall be lawful for the said County Commissioners of said county to contract for lands 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.