

dred (\$500) in the aggregate. The construction and improvement of all State highways or parts thereof shall be under the supervision and subject to the approval of the said commission, in accordance with plans and specifications prepared by the chief engineer and approved by said commission. In all cases where the contract for work and materials shall be given out after competitive bidding, the successful bidder shall promptly execute a formal contract to be approved as to its form, terms and conditions by said commission, and shall also execute and deliver to said commission a good and sufficient bond to be approved by said commission to the State of Maryland in not less than the amount of the contract price. In no case shall any such bond be approved or accepted unless the obligators bind themselves therein to the payment of all just debts for labor and materials incurred by the bidder in the construction and improvement of the road contracted for. To all such bids there shall be attached the certified check of the bidder, and the bidder who has the contract awarded to him and who fails to promptly and properly execute the contract and bond shall forfeit the said contract. The said check shall be taken and considered as liquidated damages, and not a penalty, for failure of said bidder to execute said contract and bond. Upon the execution of said contract and bond by a successful bidder his check shall be returned to him. The amount of said check shall be five hundred dollars. The checks of the unsuccessful bidders shall be returned to them after opening the bids and awarding the contract to the successful bidder; provided, however, that said commission, with the consent of a majority of all its members, may itself do any part or parts of any such work under such conditions in every respect as it may prescribe by day labor, whenever the chief engineer, in writing, shall recommend that course.*

1908, ch. 141, sec. 32 E.

37. Said commission shall keep all State highways reasonably clear of brush and maintain same in good condition; shall cause suitable shade trees to be planted thereon, if practicable, and may establish and maintain watering troughs upon said highways. No opening shall be made in any such highway, nor shall any structure be placed thereon, nor shall any structure which has been placed thereon be changed or renewed, except in accordance with a permit from the commission, which shall exercise complete control over such highways, except as herein otherwise provided. No State highway shall be dug up for laying or placing pipes, sewers, poles, wires or railways, or for other purposes, and no trees shall be planted or removed or obstruction placed thereon without the written permit of the state roads commission, or its duly authorized agent, and then only in accordance with the regulations of said commission; and the work shall be done under

*The act of 1910, ch. 218 (p. 300), also repealed and re-enacted section 32 D of the act of 1908, ch. 141, but as the act of 1910, ch. 721 (p. 298), was approved later, it is selected for codification.