

estimate in writing made by him of the cost of building such proposed road, including necessary bridges on the same, and any such new public roads which the County Commissioners may hereafter decide to open shall be built under control and direction of the County Road Engineer, and shall not be accepted and paid for by the County Commissioners until the County Road Engineer has certified to said County Commissioners that the said road has been built according to the contract and specifications signed by the contractor, if such road is built by contract.

1910, ch. 35, sec. 230J (p. 1068). 1924, ch. 535, sec. 230J.

**378.** It shall be the duty of the County Commissioners of Queen Anne's County, whenever the office of County Road Engineer shall become vacant by death, resignation or removal from office, to appoint, within sixty days from the date of such vacancy, some person in the same manner and with the same qualifications as prescribed in Section 371 of this Article to fill said office of County Road Engineer for the residue of the period of four years for which the person so dying or resigning or so removed from office was appointed.

1910, ch. 35, sec. 230K (p. 1068).

**379.** Whenever the County Road Engineer shall find it necessary to open an outlet or watercourse through private property in Queen Anne's County to secure proper drainage of any public road in said county, he shall forthwith so inform the County Commissioners of said county, and if the owner of such property consents to the opening of such outlet or watercourse, and if such owner and the said County Commissioners shall agree upon the value and price to be paid for the same, then such consent and agreement shall be entered on the books of the County Commissioners, and such outlet or watercourses shall be opened by the said County Road Engineer, but if the owner shall not consent, then the County Commissioners shall have such power and authority to condemn the land for such outlet or watercourse as is now or hereafter may be conferred by the Code of Public General Laws of the State of Maryland for condemning public highways, and shall appoint three examiners to go over such proposed outlet or watercourse for such drainage, who, or a majority of whom, shall estimate the damage to the owner or owners of the land through which said outlet or watercourse runs, and where said damage so estimated is tendered to the owner of said private property, the said County Road Engineer shall immediately cause such outlet or watercourse to be opened; said County Road Engineer shall furnish said examiners with a plat showing the proposed location and profile of such outlet or watercourse; and for the purpose of making such plat and profile the said County Road Engineer is authorized to go upon private property through which said proposed outlet or watercourse shall pass, and to make whatever survey or surveys that he may deem necessary for such purpose; provided, that any such outlet or watercourse shall not be opened so as to pass through the buildings, gardens, yards or burial grounds of any person without the consent of the owner in writing.