

ments shall have been paid into the country treasury as aforesaid, the said County Commissioners shall give an order on the treasurer for the repayment of the depositors of the amount paid into the treasury by them for preliminary expenses as above provided. No work shall be done on said road nor any contract made therefor, and if the petition be for the closing of a road no final order closing such road shall be passed, until all the assessments made as aforesaid shall have been actually paid into the county treasury; and when any new road is to be opened or old one altered or improved, the work may be given out by contract or be done by the said County Commissioners under the direction of the Roads Engineer and superintendence of the road supervisors of their district as the said County Commissioners may determine; provided the contract price or cost of construction of such road, as the case may be, shall not exceed the amount of the net assessments collected for that purpose, and the said County Commissioners shall not pay in full for the making of such road until the same shall have been thoroughly examined and accepted by them, and when so examined and accepted said road shall be opened to public travel and shall be recorded as a public road of the county and thenceforth kept in repair as such; provided, however, that the said County Commissioners shall not be liable in damages for any injury happening on said road by reason of its disrepair prior to its actual acceptance as a county road; and it is further provided, that when a county road so opened, altered or relocated cannot be conveniently drained by ditches or drains alongside the same, the examiners so appointed as aforesaid shall have the power to provide for such drains upon the property outside the limits thereof and to provide for carrying off the surface water to the nearest or most convenient place of discharge, and shall, in making their estimates of the cost of said road, include reasonable compensation to the person whose property is so used, and award such compensation as a part of the damages and assess the same as a part of the benefits arising from the construction of said road, and report their action in the premises to the County Commissioners as a part of their return and award; and whether such be specifically returned or not, the examiners shall, in their return and award, be deemed to have taken into consideration the damage to abutting property which may arise from all proper and necessary drainage of said road at the time of its construction or any time thereafter; provided that no provision as aforesaid shall be made for drainage surface water from said roads over or across the property of any person who has not had notice of the proceedings and an opportunity to be heard and appeal as hereinbefore provided. And in all cases where roads are hereafter dedicated to the use of the public by private grant, such grants shall be taken to carry with them the right at all times to properly drain such highways without liability to abutting owners for injuries occasioned in consequence thereof. The County Commissioners of Baltimore County shall also have the power at any time of their own volition and without a petition being filed as hereinbefore provided to open, alter, relocate or close any county road upon giving