

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 the check to be attached to the bid shall be based on the aggregate amount of the bid submitted and covered by the following table:

Aggregate Amount of Bid	Amount of Check
Less than \$30,000.....	\$ 500
\$30,000 to \$50,000.....	1,000
50,000 to 75,000.....	1,500
75,000 to 125,000.....	2,000
125,000 to 175,000.....	2,500
175,000 to 225,000.....	3,000
225,000 to 275,000.....	3,500
275,000 to 325,000.....	4,000
325,000 to 375,000.....	5,000
375,000 to 425,000.....	6,000
425,000 to 475,000.....	7,000
475,000 or more.....	7,500

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 the said Commission may itself do any part or parts of any such work under such conditions in every respect as it may prescribe by day labor in all cases wherein the funds provided for the carrying on or performance of such work are provided by the government of the United States of America, or any agency thereof, and the said government, or any agency thereof, shall require that such work be performed by day labor employed by said Commission. And provided further that nothing in this section shall be construed to prohibit the use by the said Commission of free labor supplied by relief or charity agencies or organizations.

In case of receivership of contractors, unpaid balances on contract to be applied to claims for labor and material in preference to general creditors. *Carney v. U. S. F. & G. Co.*, Daily Record, Feb. 6, 1935.

An. Code, 1924, art. 91, sec. 31. 1912, art. 91, sec. 37. 1908, ch. 141, sec. 32E.
1912, ch. 371, sec. 32E. 1924, ch. 312. 1931, ch. 539, sec. 7.

7. 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 such highways. Said Commission may give suitable names to the State highways and change the name of any highway which becomes a part of the State highway. The said Commission is hereby authorized and empowered, in its own discretion, to adequately mark for direction and distance all improved highways in the State.

See sec. 29.