

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.

32E. That 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 supervision and to the satisfaction of said commission; and the entire expense of replacing the highway in as good condition as before shall be paid by the persons to whom the permit was given or by whom the work was done; provided, however, that no electric railway company in operation upon any public or private road or existing or abandoned turnpike when acquired hereunder shall be disturbed in its operation or in the maintenance of its roadbed and overhead construction and all necessary repairs, together with the maintenance of the space between its tracks and two feet on each side thereof shall be performed by such railroad company under the supervision and to the satisfaction of said commission. Said commission may give suitable names to the State highways and may change the name of any highway which becomes a part of a State highway. They shall erect suitable guide posts at convenient points along State highways.