

volve upon them under this section, shall be final and conclusive unless impeached for fraud in appropriate proceedings instituted in the Circuit Court for Baltimore county, in equity, to set aside their findings on such ground. Whenever said engineers may require and determine that the city of Baltimore shall construct a road by way of replacement as aforesaid said city shall have power to agree with the owners of land, property or things to be taken or injuriously affected in the construction thereof, and in default of agreement, to condemn the right of way under the provisions of sections 1 and 3 of this Act authorizing the condemnation of property, land or things for the purposes of this Act, or may at its election, make application to the Highways Commission of Baltimore county or other proper authorities for the opening or alteration of such road; in which latter event the proceedings under such application shall be those prescribed by law for the opening or alteration of roads in Baltimore county, except that no land owner shall be assessed for any part of the cost thereof, the whole of such cost to be borne by the city of Baltimore. In the event of disagreement between the said engineers as to any matter devolved upon them by the terms of this section, they shall call in as a third arbiter a non-resident engineer skilled in the construction or maintenance of highways and bridges, to be selected by the Governor of Maryland, on the application of either of said engineers, in the event of their being unable to agree on such third person, the decision of any two of the board thus selected to be binding on the parties, and to be final and conclusive, unless impeached for fraud as aforesaid. But nothing in this Act shall be taken as obliging said city to replace any road or part of a road, or any bridge, or a turnpike company or turnpike companies, proprietor or proprietors, if in the opinion of said engineers, the purpose thereof will be reasonably answered, so far as the public convenience is concerned, by a road or bridge constructed, or required to be constructed by way of replacement by said city under the provisions of section 9 of this Act, relating to the diversion, alteration, closure or destruction of public roads or bridges of Baltimore county, nor as obliging said city to replace any public road, or part of a road, or bridge of Baltimore county, under section 9 of this Act, if in the opinion of said engineers, the purpose thereof will be reasonably answered, so far as the public convenience is concerned by a road or bridge constructed, or required to be constructed by way of replacement by said city, under the provisions of this section of this Act.

SEC. 12. *And be it further enacted,* That upon the completion of the storage lake herein contemplated, and forever there-