

Court thereof, shall be fined in a sum, in the discretion of the Court, not exceeding \$300, and shall make good the loss arising from said neglect of duty or fraud.

SEC. 234. It shall not be lawful for the County Commissioners of Somerset County to open any new roads in said county until they shall have had such proposed roads surveyed and platted by the County Road Engineer, and an estimate in writing made by him of the cost of building such proposed new road, including necessary bridges in the same, and any such new public roads which the County Commissioners may hereafter decide to open shall be built under the control and direction of the County Road Engineer, and shall not be accepted or paid for by the County Commissioners until the said County Road Engineer has certified to said commissioners that the said road has been built according to contract and specifications, signed by the contractors, if such road is built by contract.

SEC. 235. It shall be the duty of the County Commissioners of Somerset County, whenever the office of County Road Engineer shall become vacant by death, resignation or removal from office, within sixty days from the date of such vacancy, to appoint some person to fill the same, and in the manner and with the same qualifications as prescribed in Section 228 of this Act.

SEC. 236. Whenever the County Road Engineer shall find it necessary to open an outlet or water course through private property in Somerset County, to secure proper drainage of any public road therein, he shall so inform the County Commissioners of said county, and if the owners of such property consent to the opening of such outlet or water course, and if such owner and the County Commissioners shall agree upon the value and price to be paid for the same, then such consent and agreement shall be entered in the books of the County Commissioners, and the outlet or water course shall be opened by the said County Road Engineer, in accordance with said agreement; but if the owner and the County Commissioners shall fail to agree, then the said County Commissioners shall have such power and authority to condemn the land for such outlet or water course as is now or hereafter may be conferred by the Code of Public General Laws of the State for condemning public highways, and the said County Commissioners shall appoint three examiners to go over such proposed outlet or water course for such drainage, who, or a majority of whom, shall estimate the damage of the owner or owners of the land through which the said outlet or water course may be opened, and the County Commissioners shall tender to the owner of said land the amount of damages so estimated or ascertained by said exam-