

and under such supervision by the said Commission as may secure the faithful carrying out of the general specifications aforesaid.

In such county construction the State Roads Commission may require that a county road engineer or county road superintendent be placed in charge of such construction, who shall be a man of practical experience and efficiency in road construction. No final payment shall be made until the road is finally accepted. In all cases where the immediate supervision and control of the work of road construction and the use of local material indicated by or for the county is permitted, and the cross-sectional drainage and lateral drainage, and sub-drainage as specified in behalf of the county is accepted, the State Roads Commission may require of the County Commissioners a written guarantee that for the first year after acceptance the maintenance of any road as constructed shall not exceed, per mile, a fair percentage of the cost of construction to be agreed upon, with reference to the cost and use of the road, and for the second and succeeding years up to and including the sixth year after acceptance shall not exceed per mile two-thirds of the percentage for repair agreed upon for the first year, which maintenance agreements may be extended by mutual consent, and the State Roads Commission shall have the power and authority to enforce such agreement by mandamus or other appropriate legal remedy; and the County Commissioners so agreeing shall have the right to keep up the maintenance of the roads covered by such agreement, and be reimbursed by the said State Roads Commission, so long as such maintenance is fairly and properly attended to, and upon failure to so maintain such roads the said State Roads Commission may itself, and in its fair discretion, upon notice to such County Commissioners, take over and carry on such maintenance.

* In case any county has no road engineer or road superintendent, or he is not satisfactory to the State Roads Commission, the County Commissioners may appoint an engineer of State roads for such county, at a fixed salary deductible from the allotment of each county. The State Roads Commission shall have power to constitute the Board of County Commissioners of any county or the Road Engineer or Road Superintendent, its agent to act for and in its stead with respect to the construction or maintenance of State roads in such county, subject to such terms, conditions and restrictions as said Commission may impose, and the County Commissioners of each county may accept. That in the specifications and contracts for work by competitive bids, it shall be the policy of said Commission to provide as nearly as practicable that the con-