

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 and paid for by the County Commissioners until the County Road Engineer has certified to said Commissioners that the said road has been built according to the contract and specifications signed by the contractor, if such road is built by contract.

SEC. 118j. It shall be the duty of the County Commissioners of Cecil County, whenever the office of County Road Engineer shall become vacant by death, resignation or removal from office, to appoint within sixty days from the date of such vacancy some person to fill the same, who shall be appointed for the balance of the unexpired term of four years from the date of making said appointment, and in the manner and with the same qualifications as prescribed in Section 118c of this Act.

SEC. 118k. Whenever the County Road Engineer shall find it necessary to open an outlet or water course through private property in Cecil county to secure proper drainage of any public road therein, he shall forthwith 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 owners and the said County Commissioners shall agree upon the value and price to be paid for the same, then such consent and agreement shall be entered on the books of the County Commissioners, and such outlet or water course shall be opened by the said County Road Engineer, but if the owner and the County Commissioners cannot agree as to the price to be paid for the opening of such outlet or water course, or if the owner of such property shall refuse to consent to opening of the same, then the 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 of by the Code of Public General Laws of the State of Maryland for condemning public highways; provided, that any such outlet or water course shall not be opened so as to pass through the buildings, gardens, yard or burial ground of any person without the consent of the owner or owners in writing.

SEC. 2. *And be it enacted*, That all Acts or parts of Acts inconsistent with the provisions of this Act be and the same are hereby repealed, saving and excepting Chapter 141 of the Acts of the General Assembly of Maryland, Session of 1908 and the amendments thereto, and Chapter 225 of the Acts of the General Assembly of Maryland, Session 1904 and the amendments thereto, which said acts and amendments thereto shall in no manner be repealed or amended by the passage of this Act.