

diverted, altered, closed or destroyed, or to be diverted, altered, closed or destroyed in the course of the work contemplated by this Act, 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 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 or other proper authorities of the county affected, for the opening or alteration of such road, in which latter event the proceedings shall be those prescribed by law for the opening or alteration of roads in such 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 they are 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.

The powers and duties of the Chief Engineer of Baltimore City under this section may, at any time, with the consent of the Mayor of Baltimore, be delegated by him to one of his assistant engineers, or such powers may be exercised and duties performed by some third party to be named by the municipal agency hereinafter charged with the duty of carrying the work under this Act into execution. The powers conferred and the duties imposed by this section upon the Roads Engineer of any county affected by the provisions of this section may at any time, with the consent of the County Commissioners of such county, be delegated by him to one of his assistant engineers, or, if there be no Roads Engineer of said county, it shall be the duty of the County Commissioners of said county to appoint some person, preferably an engineer resident in said county, to exercise such powers and to perform such duties.

SEC. 6. *And be it further enacted,* That so soon as the Mayor and City Council of Baltimore shall be ready to begin work under this Act, the Roads Engineer of any county affected, and the Chief Engineer of Baltimore City, shall together make a careful inspection of all public roads, and portions of public roads, and of all bridges of such county, certain or likely, in the opinion of said Roads Engineer, to be used by the Mayor and City Council of Baltimore, or its agents, or contractors, for team-