

location and/or opening, to proceed within the time and in the manner required by the State Roads Commission to make the same, and any railroad company or companies that shall fail, neglect or refuse to perform such duty shall be deemed guilty of a misdemeanor, and, upon conviction, subject to a fine of One Hundred (\$100.00) Dollars, for each day such company or companies shall fail, neglect or refuse to perform such duty. In addition to the penalty herein provided, any such company or companies shall be compelled by mandamus or other appropriate proceedings to make such alterations, changes, relocation and/or opening, or the Commission itself may make the same and charge such railroad company or companies with the entire expense thereof.

Whenever it shall be ordered or determined, either in the first instance, or upon the failure, neglect or refusal of the railroad company or companies, to comply with the order of the Commission, as above provided, that the Commission itself shall make such alterations, changes, relocation and/or opening, it shall be the duty of the railroad company or companies affected by the order to pay its or their share or all (as the case may be) of the expense, as, when and in the manner determined by the Commission. The failure, neglect or refusal of such railroad company or companies to pay its or their share or all (as the case may be) of the expense, as ordered, shall be deemed a misdemeanor, and, upon conviction, such railroad or railroads shall be subject to a fine of One Hundred (\$100.00) Dollars for each day such company or companies shall fail, neglect or refuse to make such payment; provided, however, that such penalty shall be in addition to any other remedy which may be resorted to by the Commission for the enforcement of its order, or the collection of the share of the expense due by such railroad company or companies.

1927, ch. 327, sec. 38G.

38G. The notice of time and place of hearing required to be given by this Act, except as to the municipality or municipalities and the railroad company or railroad companies interested in the hearing, shall be given by publication of a notice in a newspaper or newspapers circulating in the municipality or municipalities, or in the County or Counties in which the crossing or crossings to which such hearing relates may be located; such newspaper or newspapers to be designated by the State Roads Commission. Such publication shall be at such intervals and for such period of time as said Commission shall deem reasonable; and shall be directed generally "To Whom It May Concern," give notice of the time and place of hearing and describe generally the object of such hearing.

Provided, that no contract shall be entered into, or any money expended, by the State Roads Commission for the elimination of any grade crossing, or crossings, until after the execution by the particular railroad company affected of a contract with the State Roads Commission on behalf of the State of Maryland whereby said railroad company shall engage and obligate itself to pay, or to secure the payment of, one-half the cost of eliminating such grade crossing, or crossings, nor until such contract has been submitted to and approved by the Attorney General of this State.