

be a state road or highway, a permit must be obtained from the State Roads Commission and the work must be done under such rules and regulations as the State Roads Commission may prescribe, provided that whenever any State, county or municipal highway is to be disturbed, the public authority having control thereof shall be duly notified, and provided further that said highway shall be repaired and left by the Commissioners of Leonardtown in the same, or a not inferior condition to that existing before being torn up, and that all costs incident thereto shall be borne by the Commissioners of Leonardtown.

1924, ch. 601, sec. 10.

122. Any individual, firm or corporation, having building, conduits, pipes, tracks or other physical constructions, in, over or under the public roads, streets, or alleys of the town of Leonardtown, which shall block or impede the progress of the water supply system of the Commissioners of Leonardtown, while in the process of construction and establishment, shall, upon reasonable notice from said the Commissioners of Leonardtown, promptly so shift, adjust, accommodate or remove the same, at their own cost and expense, as to fully meet the exigencies occasioning the said notice, and should the exigencies of any case involve a taking, in the constitutional sense, of the franchise or right in the exercise of which such obstruction had its origin, the Commissioners of Leonardtown shall be empowered to condemn an easement in said franchise or right; provided, however, that nothing in this section or in this Act is intended or is to be construed as intending to deprive any person of his constitutional rights. If, however, any part or parts of this Act shall be held unconstitutional, the parts hereof not held unconstitutional shall remain in full force and effect. Any violation of the provisions of this section shall be a misdemeanor punishable under Section 123 of this Article.

1924, ch. 601, sec. 11.

123. Every act or omission designated as a misdemeanor in this Act, unless otherwise provided, shall be punishable before any Justice of the Peace, or the Circuit Court for St. Mary's County, and shall be brought by warrant or indictment upon the oath or information of any member of said the Commissioners of Leonardtown or any employee thereof, and the offender shall upon conviction, be subject to a fine not exceeding one hundred dollars or 30 days in the county jail, or both, in the discretion of the Court. Where such act or omission is of continuous nature, and is persisted in, in violation of the provisions of this Act or any rule or regulation formulated thereunder, a conviction for one offense shall not be bar to a conviction for a continuation of such offenses subsequent to the first or any succeeding conviction.

1924, ch. 601, sec. 12.

124. All acts or parts of acts inconsistent with the provisions of this Act are hereby repealed to the extent of their inconsistency, provided that nothing herein contained shall be taken as affecting Chapter 810 of the