

that no electric railway company in operation upon any public or private road or existing or abandoned turnpike, when acquired hereunder shall be disturbed in its operation or in the maintenance of its roadbed and overhead construction, and all necessary repairs, together with the maintenance of the space between its tracks and two feet on each side thereof shall be performed by such railroad company under the supervision and to the satisfaction of said commission. And provided further, that whenever any State highway shall be constructed over or through any portion of any street or highway of any incorporated city or town of this State, such construction shall be in conformity with the grade or grades of such street or highway, as shall be approved by the municipal authorities of said city or town. Any violation of any provision of this section shall be a misdemeanor, and the person or corporation violating the same shall be liable to prosecution at the instance of said commission, or at the instance of any taxpayer, and upon conviction before any justice of the peace exercising jurisdiction in the county where the offense shall have been committed, shall be fined an amount of not less than twenty-five dollars (\$25) and no more than one hundred dollars (\$100) for each offense. Any person arrested under this section shall have the right to appeal to the circuit court of such county for trial, and all fines collected under this section shall be paid to the State Roads Commission and by it applied to the maintenance fund of said commission.

An. Code, 1924, art. 91, sec. 33. 1912, art. 91, sec. 37B. 1914, ch. 490.
1931, ch. 539, sec. 9.

9. Any person who shall ride, drive or walk upon any new roadbed, or new repairs of any roadbed, constructed or being constructed by or under the supervision of the State Roads Commission of Maryland before the same is opened for traffic, and any person who shall remove any light or guard set up for the purpose of closing said road or any part thereof to traffic, and any person who shall otherwise maliciously injure or damage in any manner any highway built under the provisions of Article 91 of the Code aforesaid, either in the course of its construction or thereafter, or who shall otherwise maliciously injure or damage any work, material or structure used in connection therewith, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not more than one hundred dollars (\$100.00) or be imprisoned not more than three months, or in the discretion of the Court, may be both fined and imprisoned as aforesaid, provided, however, that nothing herein contained shall affect any special method or manner of injury or damage, the prohibition or punishment for which is already provided for by law. The members of the State Roads Commission, and such of its employees and servants as are designated by it, shall have authority to enforce all laws of this State relating to State Highways, and to arrest all violators of any of the provisions of law in reference to State Highways or violators of the regulations and order of the State Roads Commission in relation thereto. Every such employee or servant shall, when exercising any such authority hereunder, wear and display a