

Treasurer shall create a special fund of the receipts from the said additional tax of one-half cent per gallon, and shall disburse the same monthly (less such sum to be retained by the Comptroller, as, in the judgment of the Comptroller shall be sufficient to enable him to pay promptly all claims for refunds), as follows: one-fifth thereof to the Mayor and City Council of Baltimore, to be used for the elimination of railroad grade crossings within the limits of said City, and the balance to the State Roads Commission of Maryland, to be used for the elimination of railroad grade crossings, as provided by Section 3 of this Act.

SEC. 2. *And be it further enacted*, That Section 38 of Article 91 of the Annotated Code of Maryland, Edition of 1924, title "Surveyor and State Survey," sub-title "Public Roads," be, and the same is hereby repealed, provided, however, that nothing herein contained shall be construed to affect any rights or obligations which may have accrued under any contracts made in pursuance thereof.

SEC. 3. *And be it further enacted*, That ten new Sections be, and the same are hereby added to Article 91 of the Annotated Code of Maryland, Edition of 1924, title "Surveyor and State Survey," sub-title "Public Roads," said new Sections to be known as Sections 38-A, 38-B, 38-C, 38-D, 38-E, 38-F, 38-G, 38-H, 38-I and 38-J, and to read as follows:

38-A. Whenever a State highway and any railroad, worked by steam or other power, cross each other at the same level and it shall appear to the State Roads Commission that such crossing is dangerous to public safety, or that the public travel on such way is impeded thereby, the State Roads Commission may alter such crossings by substituting therefor a crossing not at the grade of such public highway, either by carrying such public highway under or over such railroad, or by reconstructing such railroad under or over such public highway, or by vacating, relocating or changing the lines, width, direction or location of such highway and the opening of a new highway in the place of the one ordered vacated, provided, however, that whenever the Commission deems it advisable, the Commission may order the company or companies operating such railroad to make such alterations, changes, relocation and/or opening, within such time as the Commission may fix, and according to plans to be approved by the Commission.