

this Act; and the first term of said court to be held under the provisions of this Act shall commence on the second Monday of September in the year 1931.

SEC. 2. *And be it further enacted*, That this Act shall take effect on the first day of July, 1931.

Approved April 17, 1931.

CHAPTER 516.

AN ACT to add a new section to Article 91 of the Code of Public General Laws of Maryland, title "Surveyor and State Survey," sub-title "Public Roads," to follow after Section 38B, as enacted by Chapter 327 of the laws of 1927 and to be known as Section 38B½, permitting adjacent property owners to maintain actions for damages against the State Roads Commission of Maryland, and the railroad company or companies affected, arising under the provisions of said Section 38B.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a new section be and it is hereby added to Article 91 of the Code of Public General Laws of Maryland, title "Surveyor and State Survey," sub-title "Public Roads," to follow after Section 38B, as enacted by Chapter 327 of the laws of 1927, to be known as Section 38B½ and to read as follows:

Section 38B½. Owners of adjacent land or improvements abutting on or along the highways, which highways are affected by any grade crossing elimination under the provisions of this Article, who may be entitled to damages under the provisions of Section 38B, may maintain an action at law for such damages against the State Roads Commission of Maryland and the railroad company or companies affected, and the consent of the State of Maryland to maintain any and all such actions is hereby expressly granted. The right to maintain any such action shall apply to damages suffered within the meaning of Section 38B, subsequent to its enactment and approval on March 31st, 1927, and this Act is expressly declared to be retroactive to the extent that it confers upon such adjacent property owners the right to maintain actions for damages within the meaning of said Section 38B, but shall not be deemed to create any liability not already existing in the law. Any damages that may be recovered under the provisions of this section shall be regarded as a part of the