

Crossings how  
constructed.

Pass over  
bridge free of  
charge.

Court to design-  
ate point of  
crossing.

that if said crossings shall be under or over grade, they shall be so constructed by said Baltimore and Ohio Railroad Company as not to interfere with the passage of trains under or over the same by the company or companies operating the railroad so crossed by the Philadelphia branch aforesaid, and said company, before constructing any bridge across the Susquehanna river or tide water canal, shall first receive the approval of the board of public works of the plan and character of bridge to be constructed; and said board shall be authorized to prescribe all necessary conditions for the construction and use of said bridge so as not to impede navigation; and said company shall be, and it is hereby required to stop every local or accommodation passenger train passing over said bridge constructed over the Susquehanna river, at each end thereof, long enough for passengers to get on and off said train; and it shall be, and it is hereby required to allow all persons to pass over said bridge on said trains free of charge; and, provided further, that a crossing at grade over the tracks of the Philadelphia, Wilmington and Baltimore Railroad Company shall not be made without the consent of said company, if a crossing of the said tracks at an overgrade or at an undergrade is reasonably practicable, and the practicability of an under or overgrade crossing shall be determined by the Circuit Court for the county or city in which such crossing of the tracks of the Philadelphia, Wilmington and Baltimore Railroad Company is sought to be made; and if the court shall be of opinion that no other than a grade crossing is reasonably practicable at the point designated for said crossing by the Baltimore and Ohio Railroad Company, but shall be of opinion that an overgrade or undergrade crossing is reasonably practicable at some other point, then the said court shall designate and determine the point and mode of crossing, and either party may appeal within twenty days from the determination of the said Circuit Court in the said matter to the Court of Appeals, and upon the entry of said appeal, the clerk shall forthwith send to the Court of Appeals a transcript of the record, including therein a statement of the evidence taken in the court below, certified to be a correct statement thereof by the said court, and the Court of Appeals