

Suit under this section held to have been improperly withdrawn from the jury, there being sufficient proof of plaintiff's damages. *Webb v. B. & O. R. R. Co.*, 114 Md. 216.

This section referred to in deciding that an abutment and elevated structure built under legislative authority, did not constitute a nuisance. *Garrett v. Lake Roland R. R. Co.*, 79 Md. 287.

An. Code, sec. 274. 1904, sec. 256. 1896, ch. 151, sec. 169A.

209. Sections 203, 206 and 208 shall apply to all roads operated by electricity, cable or other improved motive power, and whether incorporated under the provisions of this article or by a special act, and whether the property proposed to be condemned is situated in one of the counties of this State, or in the belt or annexed portions of Baltimore city, where streets and alleys have not been opened and occupied as city streets.

See notes to secs. 203 and 208.

An. Code, sec. 275. 1904, sec. 257. 1888, sec. 170. 1876, ch. 242, sec. 14.

210. Such corporation may demand and receive for the transportation of passengers on said road not exceeding three cents per mile, and for the transportation of property on said road, other than coals, ores or other minerals, not exceeding five cents per ton per mile, but such corporation shall not demand or receive, for the transportation of coals, ores or other minerals, a rate exceeding one and a half cents per ton per mile.

This section has no reference to the construction of street railways for passengers *Hodges v. Baltimore, etc., R. R. Co.*, 58 Md. 622.

This section refers only to railroad companies incorporated under the general law; it has no application to the Cumberland and Pennsylvania Railroad Company; *State v. Consolidation Coal Co.*, 46 Md. 13.

See secs. 364, 373 and 384.

An. Code, sec. 276. 1904, sec. 258. 1888, sec. 171. 1876, ch. 242, sec. 15.

211. Such company shall have power to borrow money on the credit of the corporation, not exceeding its authorized capital stock, at a rate of interest to be agreed upon by the respective parties, and may execute bonds or promissory notes therefor, in sums of not less than one hundred dollars, and to secure the payment thereof, may pledge the property and income of such company.

See sec. 381.

An. Code, sec. 277. 1904, sec. 259. 1888, sec. 172. 1876, ch. 242, sec. 16.

212. Such company may acquire by purchase or gift, any lands in the vicinity of said road or through which the same may pass, so far as may be deemed convenient or necessary by said company to secure the right of way, or such as may be granted, to aid in the construction of such road, and the same to hold or convey, in such manner as the directors may prescribe; and all deeds and conveyances made by such company, shall be signed by the president, under the seal of the corporation.

An. Code, sec. 278. 1904, sec. 260. 1888, sec. 173. 1876, ch. 242, sec. 17. 1880, ch. 282.

213. It shall be lawful for such corporation, whenever it may be necessary in the construction of its road, to cross any road, highway or stream