

of the circuit court for the county in which the freight may be, or to any judge of the supreme bench of Baltimore city, assigned to one of the common law courts of said city, if said freight be in said city, setting forth the reasons for which said application is made, it shall be lawful for said judge to pass an order for the sale of said freight whenever said judge may deem such sale expedient, on such terms and notice as the order may prescribe; and the proceeds of said sale, if there be any remaining over, after payment of the expenses incident thereto and legal charges, including cost of the keep of such live stock or cost of storage on said freight, shall be paid to the owner or consignee of said freight on demand.

An. Code, sec. 288. 1904, sec. 269. 1888, sec. 181. 1874, ch. 333, sec. 2.

**225.** Whenever personal baggage, sample packages, bundles or baggage transported by any railroad company, doing business as common carriers, to any points in this State, shall remain at the place to which the same is or shall be directed for the space of three months, or any lost or stray baggage, sample package, bundles or luggage, shall remain unclaimed by the owner or consignee for the space of three months, at the place to which the same shall be or shall have been transported, and the said owner or person to whom the same shall be directed cannot, upon diligent inquiry, be found, or being found and notified of the arrival of such property shall neglect to receive the same, and pay the reasonable charges thereon, then it shall be lawful for such railroad company to sell such property at public auction, after giving ten days' notice of the time and place of said sale, by posting up notices thereof in three public places in the county or city where such sale shall be made, and out of the proceeds of such sale to pay the legal charges, including cost of storage on said property, and to pay the overplus, if any, to the owner or consignee of any such property, on demand.

An. Code, sec. 289. 1904, sec. 270. 1888, sec. 182. 1874, ch. 333, sec. 3.

**226.** The three preceding sections shall apply to all steamboat and transportation or forwarding companies, or other corporations or companies, which act as common carriers or forwarders in this State.

An. Code, sec. 290. 1904, sec. 271. 1888, sec. 183. 1874, ch. 446, sec. 1.

**227.** All railroads within this State, which cross or connect with any other road, or which may hereafter be so constructed or built, shall permit the road so crossing or connecting to use their track or roadway for the passage of locomotives, cars and tonnage at a rate of tolls for passage of trains and tonnage not exceeding the rate per ton per mile, or proportionate part of a mile so used, as is charged for through freight per ton per mile; provided, however that the right of any road to use the track of any connecting road under this section shall not be extended to a greater distance than five miles.

This section is not applicable to a railroad chartered prior to its adoption, because such railroad's charter being a contract, could not be impaired or affected by subsequent legislation to which the company did not assent. The fact that under the defendant's charter, other roads have the right to connect with it, does not give rise to the application of this section. This section held not to have been accepted by the defendant railroad company. *Pennsylvania R. R. Co. v. B. & O. R. R. Co.*, 60 Md. 266.