

may acquire by condemnation any easements or interests in land which may be necessary to give effect to the purposes for which such corporation was formed, in the manner set forth in sections 248 to 253 of this article; provided, however, that all corporations incorporated, or to be incorporated by virtue of said section 24, class eleven, except such corporations of said class as are now in practical operation and have laid or constructed their lines, or any part thereof, in the city of Baltimore, shall obtain a special grant from the general assembly of Maryland, and the assent and approval of the mayor and city council of Baltimore city, before using the streets or highways of Baltimore city, either the surface or the ground beneath the same.

Remedies for Abuse, Misuse or Nonuse of Corporate Powers.

1868, ch. 471, sec. 176.

255. Whenever the attorney general of the State, or the State's attorney for the city of Baltimore, or for any county in this State, shall be authorized by the governor to institute proceedings against any corporation incorporated under the laws of this State, to ascertain whether such corporation has been guilty of such misuse, abuse or nonuse of its corporate powers and franchises, as by law would authorize and make proper the forfeiture of its charter, corporate powers and franchises, the attorney general or State's attorney so authorized, shall file in the court hereafter designated, a petition in the name of the State, setting forth fully and in detail the alleged abuse, misuse or nonuse, by reason whereof the said forfeiture is sought; and upon the filing of such petition, the court in which it is filed, or any judge thereof, shall lay a rule requiring the said corporation to show cause, within such time as the judge may deem proper, why a decree of forfeiture should not issue as prayed in said petition; a copy of which rule and of the petition shall be served on the said corporation by a day to be therein limited, which shall be served as other process against such corporation is directed to be served.

State v. Consolidation Coal Co., 46 Md. 5.

Ibid sec. 177.

256. The said corporation, by the day named in said order, unless further time be granted by the court, shall file an answer