

be along the route of the old Baltimore and Washington road, the bed of which, so far as the same is vested in the State or the several counties through which it passes, is hereby dedicated by way of easement or fee simple, as the case may be, to the public use.

1906, ch. 312, sec. 2.

**25 B.** The building, grading and construction of said road shall be under the direction and control of the State geological and economic survey commission, but it shall in no place be less than thirty feet nor more than sixty feet in width; and wherever the said road as hereinafter laid down by said commission shall pass through any incorporated towns, unless the said towns shall grant an easement therefor over a street or streets to said commission (as representatives of the State), the said commission is authorized and directed to divert the same so that it may pass around such town as may refuse to grant an easement as aforesaid.

Ibid. sec. 3.

**25 C.** Whenever it shall become necessary from any cause to acquire any lands for the purpose of constructing said road which cannot be acquired by purchase or grant, the said commission is hereby clothed with power to condemn, under the right of eminent domain, as now conferred on railroad or railway companies by article 23 of the Code of Public general laws, title "Corporations," or as may be conferred on such corporations by any amendment to said article 23; this right of condemnation to apply to gravel pits or quarries as well as to land, and whenever it shall be necessary to cross any streams the bridges over the same shall be constructed of permanent materials and in a modern manner.

Ibid. sec. 4.

**25 D.** Whenever any railroad or railway company hereafter constructed shall cross said road it shall be required to keep its own roadbed and the bed of the said highway in proper repair or else to have constructed an overhead or undergrade crossing subject to the approval of the said commission or in conformity to the provisions of article 23 of the code of public general laws as to crossings of railroad companies in regard to flagmen and electric bells; and the tracks of such railroads or