

municipal taxation, upon its said Philadelphia Branch Railroad, together with all buildings and other works to be constructed and used in connection with the same; and that its said elevated railroad and tunnel property, forming parts of said branch railroad, shall be valued and assessed in the same manner as any bridges forming parts of railroads, and tunnels connected with railroads, are now by law directed to be valued and assessed for purposes of taxation; and provided further, that said company shall be responsible for injuries done to any private property binding on any street in the city of Baltimore along which said branch railroad shall be constructed; and the damages for such injuries may be recovered by civil action, brought by the respective owner or owners of such private property, at any time within three years after the completion of said branch railroad in the said city of Baltimore; but one action only shall be brought in respect to the injuries done to any parcel of private property owned by one or more than one person or corporation; and in the ascertainment of said damages, the benefits, if any, to said property, shall be considered, and no damages shall be given unless the same shall be found to exceed said benefits; provided also that the owner or owners of any property so binding on any street in said city, along which said branch railroad shall be constructed, shall have the right to require said railroad company to purchase and accept such property at its present tax assessment, upon waiver of all claim or claims for damage; but such owner or owners shall exercise such option to require said company to accept said property within six months after notice given by the railroad company of its intention to locate said railroad along such street; said notice to be given by publication in some daily newspaper, printed and published in the city of Baltimore, at least once a week for four successive weeks.

SEC. 2. *And be it further enacted*, That said company, in constructing its said road upon the route to be selected by it, as provided in the first section of this act, may construct a surface road from the west side of Patterson Park avenue to Cannon street, depressing Burke street not exceeding four (4) feet, and raising Cannon street not exceeding six (6) feet, at the crossings of said streets; said company shall

Elevated railroad to be assessed.

Responsible for injuries.

Benefits to be considered.

Require to purchase.

Publish notice.

Construct surface road.