

CHAPTER 203.

CHAP. 203.

AN ACT repealing Chapter 171 of the Acts of the General Assembly of Maryland of the year 1894, and re-enacting same with amendments.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That chapter 171 of the Acts of the General Assembly of Maryland, of the year 1894, be and the same is hereby repealed and re-enacted with amendments, to read as follows:

Repeal and re-enact.

SEC. 2. *And be it enacted,* That the Baltimore and Liberty Turnpike Company, and such other persons or corporations to whom the privilege of laying tracks upon said turnpike road have been or shall hereafter be granted by it, (the said Baltimore and Liberty Turnpike Company,) to lay down upon said road a railway or railways, be and they are hereby authorized to use for the propulsion of cars on their said railway tracks, in Baltimore county or in Baltimore city, any motive power or system of traction whatever, which has been or may hereafter be authorized to be made use of in the city of Baltimore by any other corporation exercising street railway franchise therein; provided, that in all cases where a cut is made in the bed of said turnpike road, proper guards or rails shall be erected along the edge of said cuts, so as to prevent accidents to persons using the said turnpike road, with teams or otherwise; and provided further, that if the company or individuals obtaining the right to lay tracks along said road, as herein provided, shall fail to agree with the said Baltimore and Liberty Turnpike Company as to such use of said turnpike road or construction of the said railway, such company is hereby authorized and empowered to acquire the easement and estate in said turnpike road necessary for the exercise of the rights herein provided for, by proceedings of condemnation in the manner provided for under the 248th and succeeding sections of Article 23 of the Code of Public General Laws, sub-title "Condemnation of Property by Corporations;" and provided further, that all damages awarded the said turnpike company as compensation for the use of said road under said condemnation proceedings, shall be distributed *pro rata* among the respective stockholders of the said Baltimore and Liberty Turnpike Company.

Authorized to use any motive power or system of traction.

How damages shall be distributed.

SEC. 3. *And be it further enacted,* That this Act shall take effect from the date of its passage.

Approved April 8, 1902.