

CHAP. 312

Preamble.

WHEREAS, A public sentiment exists in favor of the construction of permanent public highways in and through the State of Maryland, with a view to have the people of the State to emulate the example of other States in this respect; and

WHEREAS, The most available points to build such a highway as an object lesson is between Washington and Baltimore; and

WHEREAS, Initial proceedings in respect of such work have been instituted by the enactment of Chapter 51 of the Acts of 1896, and of Chapter 434 of the Acts of 1898, and 225 of the Acts of 1904, creating and defining the duties and powers of the "State Geological and Economic Survey Commission;" therefore

Public highway to be constructed.

SECTION 1. *Be it enacted*, That a public highway, to be known as State road No. 1, be and the same shall be constructed between the cities of Washington and Baltimore, the course of which, as near as practicable, shall 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.

Building, grading, etc., said road.

SEC. 2. 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 hereby authorized and directed to divert the same so that it may pass around such town as may refuse to grant an easement as aforesaid.

May condemn land, etc.

SEC. 3. 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