

holders are required to elect, the State of Maryland should be entitled to two directors, who shall be appointed in the same manner as the directors in all other works of internal improvement are appointed where the State has the legal power to appoint directors; provided, however, that if the commencement of the construction of the said Elkton, Massey's and Middletown Railroad within six months from the passage of this act shall be prevented by hostile litigation or other causes not brought about by the fault of the said company, or if the completion of said portion of said railroad mentioned in this section as far as Cecilton on or before August 1st, 1895, or the completion of the whole line so as to be in a condition to be operated by August 1st, 1896, shall be prevented by hostile litigation or other causes not brought about by the fault of said company, and the said company shall procure and file in the office of the Secretary of State, a certificate or certificates, as the case may be, signed by the Governor, Attorney General and State's Attorney for Cecil county, or a majority of them (which said officers are hereby required to act in the matter), that the delay in beginning the construction of said works within six months, or completing that portion of said railroad as far as Cecilton by August 1st, 1895, or completing the whole line so as to be in condition to be operated by August 1st, 1896, whichever of said events may happen, was caused by hostile litigation, or other causes not brought about by the fault of said company, then the delay in respect to the matter mentioned in said certificate or certificates, as the case may be, shall not operate to transfer the said fifty-eight thousand (\$58,000) dollars hereinbefore mentioned, to the said Elkton and Southern Railway Company.

SEC. 5. *And be it further enacted,* That unless the said Elkton, Massey's and Middletown Railroad Company shall, within ninety days from the passage of this act, have commenced proceedings for the condemnation of such portions of its rights of way as lie between Elkton and Chesapeake City, as it can not acquire by negotiation within said period of ninety days from the passage of this act, then, and in that case, the said certificates aforesaid shall not be effective to prevent or postpone the transfer of the said sum of fifty-eight thousand (\$58,000) dollars to the Elkton and Southern Railroad Company, as provided in this act.

Condemnation proceedings to be commenced within ninety days.