

Tracks on
Liberty turn-
pike road,
how to be
laid.

Power of con-
demnation.

Effective.

or shall hereafter be granted by it, the said Baltimore and Liberty Turnpike Company, to lay down upon said turnpike road or 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 franchises therein. Provided, that any such company having or hereafter obtaining the right to lay tracks on and along such turnpike road as aforesaid, shall lay down such tracks along the side of the said turnpike road as it now exists, and not less than six feet from the portion thereof required by the charter of the said Baltimore and Liberty Turnpike Company to be macadamized; and provided further, that in the construction of the said railway hereby authorized to be constructed, no cut or fill shall be made more than six feet in depth or height, and that all approaches to the said turnpike road as now existing disturbed by the construction of said railway, shall be cut down or filled in, so as to conform to the level of said road, the power to make such alterations being hereby given any company exercising the rights herein provided for; and provided further, that in all cases where a cut is made in the bed of the said turnpike road, proper guards or rails shall be erected along the edge of said cut 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 24th 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.

SEC. 2. *And be it further enacted,* That this act shall take effect from the date of its passage.

Approved April 3d, 1894.