

Plan of  
bridge to be  
filed.

SEC. 11. *And be it enacted*, That whenever the line of any railroad now existing, or which may hereafter be incorporated, shall cross the canal proposed to be built under this Act of incorporation, or where the said Baltimore, Curtis Bay and Annapolis Canal and Navigation Company has to cross any railroad, canal or navigable water, the said company wishing to make the crossing shall file with the Board of Public Works the plan of the bridge, aqueduct or other fixtures for crossing such railroad, canal or navigable water, designating the place of crossing; and if the said board shall approve of such plan it shall notify such company in writing of such approval; but if the said board shall disapprove of such plan, or fails to approve the same within ten days from the filing thereof, it shall be lawful for such company to apply to the Circuit Court or any judge thereof in vacation, and upon reasonable notice being given to the members of the Board of Public Works, said court or judge shall, upon good cause shown, appoint a competent, disinterested engineer, not a resident of the county through which the said canal passes, to examine such crossing and to prescribe the plan and condition thereof, so as not to impede navigation, and such engineer shall within twenty days from his appointment, make his return to the Circuit Court for the county where such crossing is to be made, subject to exception by either party; and thereupon the court shall, at the next term after the filing of said return, proceed to examine the same, and unless good cause is shown to the contrary, shall approve and confirm the same, and such order of condemnation shall be sufficient authority for the erection, in accordance with such plan, of the said bridge or crossing, for the use and occupancy of said Canal and Navigation Company, or for the use and occupancy of the company whose bed, canal or track crosses the Baltimore, Curtis Creek and Annapolis Canal and Navigation Company, as the case may be, has to cross; provided, that the company hereby created shall not be authorized to construct any permanent bridge over its canal bed for public use which shall be less than twelve feet wide and twelve feet high in the clear above the top water in the line of the canal, and if the bridge or aqueduct is over a canal, not less than sixty feet in width between the piers and abutments of such bridge or aqueduct, and they shall be so placed that they shall not in any manner interfere with the free passage of the tow-path.

SEC. 12. *And be it enacted*, That whenever necessary to cross any navigable stream, public road, or canal, or railroad in