

to occupy any road, street, alley or public way, or ground of any kind, or any part thereof, it shall be competent for the municipal or other corporation, or public officer, or public authorities, owning or having charge thereof, and the railroad company to agree upon the manner and upon the terms and conditions upon which the same may be used or occupied; and if said parties shall be unable to agree thereon, and it shall be necessary, in the judgment of the directors of such railroad company, to use or occupy such road, street, alley or other public way or ground, such company may [appropriate] condemn so much of the same as may be necessary for the purposes of such road [], in the same manner and upon the same terms as provided for the appropriation of the property of individuals by Sections 193 and 194] in accordance with the provisions of Article 33A of the Annotated Code of Maryland, title "Eminent Domain"; provided, that every railroad company laying down any such track or tracks upon any such public street, road, alley or other public ground, shall be responsible for injuries done to private property by such location, lying upon or near to such public ground, which may be recovered by civil action brought by the owner or owners at any time within two years from the completion of such track or tracks, before the proper court; and provided further, that no railroad company shall be allowed to pass through the City of Baltimore without the consent of the municipal authorities.

333.

If any corporation formed for the purposes mentioned in Section 332 of this article cannot agree with the owner or owners of any land or water rights which such corporation may have power to acquire for the purpose of laying pipes or constructing its work; or if such owner or owners or any of them, be a feme covert without power to contract in relation to said property, or under age, or non compos mentis, or under any other legal disability, or be absent from the county or city in which the said property may lie when the said land or water rights may be needed, the corporation may proceed to condemn and acquire the same in the manner provided for in [Sections 334 to 339, both inclusive, of this article] Article 33A of the Annotated Code of Maryland, title "Eminent Domain".

334.

If any corporation incorporated under the laws of this State which shall be authorized to acquire by condemnation any land, earth or stone, or any interest therein, cannot agree with the owner or owners thereof, or if any of such owners be a feme sole, and without power to contract in that regard, under age, non compos mentis, or under any other legal disability to contract, or be out of the county in which the property wanted may lie at the time the same is wanted, then in all such cases the corporation may proceed to condemn under the provisions of Article 33A of the Annotated Code of Maryland, title "Eminent Domain". [application may be made by any such corporation to any judge of the circuit court for the county in which said land or other materials may lie, or to any judge of the Supreme Bench of Baltimore City, if the said land or materials lie in the City of Baltimore; and thereupon, the said judge, upon its being made to appear satisfactorily to him that said land or materials are necessary and proper to be condemned for the use of such corporation, shall