

Article [21] of [this] THE Code.

340.

Any of the corporations formed under class thirteen, § 28 of this article, as codified by the Code of 1904, shall have the power which is conferred upon telegraph companies incorporated under this article by § 318, and may construct and lay any part of its line or lines underground or any route for which it is authorized to construct such lines in whole or in part, above ground, and the corporation may acquire by condemnation any property or right whatsoever necessary for its purposes in its discretion, either in fee simple or the use thereof in fee simple, or for a less estate, in the manner set forth in Title 12 of THE REAL PROPERTY Article [21] of [this] THE Code; provided, however, that all corporations incorporated, or to be incorporated by virtue of said § 28, class thirteen, (Code of 1904) and all corporations heretofore or hereafter incorporated under the provisions of the Corporation Law of 1908, shall obtain the assent and approval of the mayor and city council of Baltimore City, before using the streets or highways of Baltimore City, either the surface or the ground beneath the same. The provisions of this proviso, however, do not apply to those corporations now in practical operation and which have laid or constructed their lines, pipes, mains or other structures, or any part thereof in the City of Baltimore, except as to the use and occupancy by them of new and additional streets and highways in the City of Baltimore by their lines, pipes, mains or other structures.

341.

Any corporation of this or any other state, which is now or may hereafter be engaged in the business of transmitting or supplying natural gas, artificial gas, or a mixture of natural and artificial gases, may acquire by condemnation, in the manner provided in Title 12 of THE REAL PROPERTY Article [21] of [this] THE Code, rights-of-way or easements necessary for the purpose of laying, constructing, changing the size of, repairing, maintaining, operating and removing pipe lines and appurtenances thereto for the transmission and supplying of natural gas, artificial gas, or a mixture of natural and artificial gases; provided, however, that nothing contained in this section relieves any corporation from the provisions of Chapter 180 of the Acts of the General Assembly of Maryland of 1910 (Art. 78), known as the Public Service Commission Law, or any amendment thereto; and provided further that nothing contained in this section confers the right of condemnation upon any corporation, domestic or foreign, which is not engaged,