

(3) All real and leasehold property in said annexed territory which does not come under either the classification of urban or suburban property, as hereinbefore defined, shall be classified as a rural property, and shall be subject, for the purposes of city taxation, for the year 1928 at a rate equal to thirty-four per cent. of the rate to which urban property may be liable, and for the year 1929 at a rate equal to forty per cent. of the rate to which urban property may be liable, and so on from year to year with an increase of six per cent. of the full city rate each year until and including the year 1938, after which such property shall be subject to the full city rate. All the easements and rights of way of railroads and the tracks or other structures erected thereon, and all easements or other property located in, on, under or over the streets, roads, avenues, alleys, highways or ways in said annexed territory, shall be and hereafter remain subject to taxation as now or hereafter provided by law.

Daly v. Morgan, 69 Md. 460. Sindall v. Mayor & C. C. of Balto., 93 Md. 526. U. Rys. & Elec. Co. v. Balto. Clty. 93 Md. 630. Balto. Belt R. R. Co. v. Baltimore, 93 Md. 638. Goebel's Case, 93 Md. 749. Kuenzel's Case, 93 Md. 750. Gittings v. Baltimore, 95 Md. 420. Baltimore City v. Poole, 97 Md. 71, 72. Joesting v. Balto. City, 97 Md. 590. Cf. Groff v. Mayor, 44 Md. 67. Baltimore v. Rosenthal, 102 Md. 298. United Railways, &c., Co. v. Baltimore City, 93 Md. 630. Joesting v. Baltimore City, 97 Md. 591. Storek v. Baltimore City, 101 Md. 476. M. & C. C. of Balto. v. Rosenthal, 102 Md. 298. Hiss v. M. & C. C. of Balto., 103 Md. 621.

For classification at full rate streets must be public. Rubblestone gutters are sufficient curbing within the meaning of the Act.

Smith v. Baltimore, 120 Md. 143.

Passes upon size of block in Annex. and condition of the paving, to bring block under full city rate of taxation.

M. & C. C. v. Harris, 113 Md. 227.

Defines a block for taxation in the Annex.

M. & C. C. v. Knell, 111 Md. 533.

Charter adopted by Baltimore City pursuant to Art. 11A of Constitution held not to authorize the voters to change this section, but that power to do so resided only in the General Assembly.

Williams v. Broening, 135 Md. 226.

P. L. L. (1888), Art. 4, sec. 6. 1888, ch. 98. 1890, ch. 463.

5. The annexation to the City of Baltimore of the territory described in the Act of 1888, Chapter 98, shall not affect the right of any turnpike or toll-road company heretofore chartered by this State from collecting tolls upon such parts of their said roads as lie within said territory, nor shall any provision in the charter of said companies which prohibits the erection of a toll gate within one mile of Baltimore City, operate to require the removal of any toll gates now located within said territory. But the Mayor and City Council of Baltimore shall have the power to purchase or condemn from said companies such portions of their several turnpike roads as lie within the city, or to arrange with the said companies for the removal of their turnpike gates beyond the city limits, and to appropriate such sums of money as may be necessary to carry out these objects.

M. & C. C. of Baltimore v. Turnpike Co., 80 Md. 541. Ulman v. Charles St. Ave. Co., 83 Md. 138.