

designated and recommended by the engineer, and adopted by the President and Directors of the Baltimore and Potomac Rail Road Company. The other bridges on the said roads shall be constructed in like manner and with the same materials used by the Baltimore and Ohio Rail Road Company in their construction of bridges of like dimensions on their said road, unless, as before specified, the engineer of the Baltimore and Potomac Rail Road Company shall recommend, and the President and Directors thereof shall adopt, some equally substantial plan of structure.

*Sixthly.* That they, the said parties of the second part, will place on the said roadway, after the same has been graded as aforesaid, cross-ties, to be laid two feet and two inches from centre to centre and firmly bedded, to be of such size and material as the engineer of said road shall approve. The spaces between the ties to be filled with ballast formed of gravel or broken stone, which is to extend one foot beyond the ends of the ties and along the ends thereof. The rails are to be laid of the common gauge of four feet eight and a half inches, and fastened to the cross-ties by spikes of such size and shape as the engineer shall recommend and the President and Directors of said company shall approve. The joints of the iron rails are to be secured in the same manner as they are upon the Washington Branch of the Baltimore and Ohio Railroad. The rails are to be of the H or T pattern, and of the weight of not less than fifty-six pounds to the yard. The two rails are to be laid at the same level, on straight lines, but on curves the outer rail is to be raised as much higher as the engineer may direct, reference being had to the radius of the curve. Sidings are to be made in such places, and of such extent as shall be directed, and are to be constructed in the same manner as the superstructure of the main track; and switches and fastenings are to be on the plan of those now in use upon the Washington Branch of the Baltimore and Ohio Railroad Company.

And it is further covenanted and agreed by and between the parties, that the parties of the second part shall commence the said road at the point of crossing of the Annapolis and Elkridge Railroad, on the south side thereof, and running thence towards the Patuxent river, as soon as practicable after the signing of this contract, and shall completely grade five miles of the said road within six months from and after the date of this contract, and shall further completely grade five miles additional on the route to Marlborough within every six months thereafter until the said road reaches Upper Marlboro'; and in case the parties of the second part shall not commence the said road as hereinbefore required, and completely grade five miles of the said road within the said six months from the date of the signing of this contract, the parties of the second part shall forfeit and pay to the Presi-