

to agree with any street railway company for the surrender of any of its franchises, easements or rights-of-way, and in substitution for the franchise, easement or right-of-way so surrendered to grant a new franchise, easement or right-of-way on any highway, street, avenue or road, and which may be for the same duration as the franchise, easement or right-of-way surrendered; and to provide, in appropriate cases, for a graduated park tax, as prescribed by Chapter 566 of the Acts of the General Assembly of 1906.\*

1900, ch. 109.

10. Before any grant of the franchises or right to use any highway, avenue, street, lane or alley, or other public property, either on, above or below the surface of the same shall be made, the proposed specific grant, except as provided in the proviso to Section 37 of this Charter, embodied in the form of a brief advertisement, prepared by the Board of Estimates, at the expense of the applicant, shall be published by the Comptroller for at least three days in one daily newspaper published in Baltimore City to be designated by the Board of Estimates, and all the provisions of Section 37 of this Charter shall be complied with.

*Purnell v. McLane*, 98 Md. 591. *Brauer v. Refrigerator Co.*, 99 Md. 380.

Turnpikes and private streets are held to come under this section when used for the purpose of supplying electric current by means of wires and poles.

*The Patapsco Electric Co. v. M. & C. C.*, 110 Md. 310.

1898, ch. 123.

11. When the grant of a franchise or right is made in compliance with the foregoing sections, the Mayor and City Council of Baltimore shall not part with, but shall expressly reserve the right and duty, at all times, to exercise, in the interest of the public, full municipal superintendence, regulation and control, in respect to all matters connected with said grant and not inconsistent with the terms thereof.

*Purnell v. McLane*, 98 Md. 591. *Brauer v. Refrigerating Co.*, 99 Md. 380. *Cf.*, *N. C. Ry. Co. v. Baltimore*, 21 Md. 104.

1898, ch. 123.

12. Sections 8, 9, 10 and 11 of this Charter shall apply to any renewal or extension of the grant or leasing of the property to the same grantee or to others.

1910, ch. 593. 1912, ch. 32.

13. Nothing contained in this Charter shall prevent the Mayor and City Council of Baltimore from, in any manner, disposing of any building or parcel of land no longer needed for public use; provided, that such disposition shall be authorized and provided for by ordinance, and shall be approved by the Commissioners of Finance by their uniting in the conveyance thereof, and shall be made at public sale, unless a private sale be expressly authorized by the Board of Estimates and so entered on

\*Secs. 800a and 800b.