

the provisions contained in Article 23 of the Code of Public General Laws of Maryland title "Corporations," sub-title "Railroad Companies," relating to the crossing by railroad companies of the tracks of other railroad companies; and all crossings of intersecting railroad tracks now constructed or which may hereafter be constructed shall be by overhead crossings or otherwise as may, in the judgment of the Board of Directors of the said The Baltimore Transit and Terminal Company, be most expedient; provided, however, that if said The Baltimore Transit and Terminal Company shall make over and transfer to The Mayor and City Council of Baltimore not less than 51% of the entire capital stock hereby authorized or hereafter to be authorized and issued by said The Baltimore Transit and Terminal Company, to be held by the said The Mayor and City Council of Baltimore for the use and benefit of the said The Mayor and City Council of Baltimore in perpetuity without power of alienation, which transfer in perpetuity is hereby expressly authorized to be made, and if further said The Baltimore Transit and Terminal Company shall agree and covenant that the road, tracks, tunnels, or other facilities constructed or acquired by it shall be open upon equal terms and conditions to all railroads now or hereafter desiring to use the same up to the capacity of said roads, tracks, tunnels, and other facilities, that then and in that event, in consideration of said transfer of stock and said agreement and covenant, said The Mayor and City Council of Baltimore shall have the right to grant to said The Baltimore Transit and Terminal Company a franchise or easement in said streets, highways, or other public property in the city of Baltimore for such term exceeding the term of twenty-five years as may be fixed by contract between said The Mayor and City Council of Baltimore and said The Baltimore Transit and Terminal Company, which contract the said The Mayor and City Council of Baltimore is hereby expressly authorized to execute, and provided further that said The Mayor and City Council of Baltimore may in said contract so authorized as above extend the time within which said franchise shall be executed and enjoyed for such period as may be fixed in said contract, the said The Mayor and City Council of Baltimore being hereby expressly authorized, in consideration of the transfer of not less than 51% of said stock as hereinbefore provided, and the covenant for general use as above, to waive the limitation of a franchise grant to a term of twenty-five years as provided in Section 9 of said Article 4, and to waive