

limits of Maryland, and to establish and complete the terminus thereof with its appurtenant buildings as aforesaid within the existing corporate limits of the said city of Cumberland, all the money to be obtained upon said bonds either by selling or pledging the same, or the bonds themselves if used as money, shall be exclusively expended upon the objects aforesaid required to be established within the existing corporate limits of the said city of Cumberland; or if not needed for such objects, shall be used in aid of the completion of such other part of said railway as shall remain unfinished within the limits of Maryland. And lastly upon condition, that after the said Railroad Company shall have located the Maryland part of its aforesaid railway, including all the land necessary for the terminus thereof, with its appurtenances as aforesaid, and shall have acquired a valid title in fee thereto free from all incumbrances, the said Railroad Company shall thereupon (and before doing any thing by deed or otherwise binding said property in favor of any other corporation or party) convey by a good and sufficient deed in fee simple to the said city of Cumberland all the land to which it shall have acquired title as aforesaid with all the railway tracts, houses, improvements and fixtures then built, being built or afterwards to be built thereon for the following uses and purposes, that is to say, in trust for the exclusive use and benefit of the said Railroad Company or its assigns until the maturity of the bonds aforesaid; *Provided always*, that the said Railroad Company or its assigns shall in the mean time punctually pay or cause to be paid the semi-annual instalments of interest accruing upon said bonds to the persons or parties lawfully entitled to receive the same otherwise, that is to say, in case the said Railroad Company shall fail to pay the semi-annual instalments of interest accruing upon said bonds, in further trust, to sell, mortgage, lease or rent out all said property or any part thereof at the discretion of the said city of Cumberland for the purpose of raising the money necessary to pay the semi-annual instalments of interest aforesaid; and after the maturity of said bonds and the payment of all the accruing instalments of interest in arrear prior to, or due at the maturity of said bonds, if the said property shall not have been previously sold as hereinbefore authorised, or any part of it remain unsold, then, in trust to convey by deed in fee all said property, or such part thereof as may remain unsold unto the said Railroad Company or its assigns to and for their sole use and benefit. But the Mayor and Councilmen of the city of Cum-

Proviso.