

the period of six months after the date named in said agreement for payment thereof the cash value of their said shares as defined and set forth in said agreement, shall be treated as and conclusively presumed to be an election on the part of such holders to accept the stock of the purchasing company to which by the terms of said agreement they shall be entitled, and thereafter such holders shall be entitled only to exercise the privilege of exchange of their stock for stock of the purchasing company upon the terms and conditions provided in said agreement, and the cash value of said shares as defined and set forth in said agreement shall be retained by and become the property of the purchasing company. But the provision of this paragraph shall not apply to the holder or holders of stock of the selling company who shall, pursuant to the provisions of paragraph second thereof, have taken the proceedings authorized therein for the determination of the value of their shares.

Fourth. In connection with and to consummate only purchase authorized by the terms of this section, the purchasing company may issue its own capital stock or bonds, either or both, to such amount as may be required by the agreement or as may be otherwise necessary in order to provide the price or consideration to be paid by the purchasing company or to pay off or retire the bonds or capital stock of the selling company, or to effect exchanges of the bonds and stock of the selling company for those of the purchasing company.

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Whenever freight forwarded upon any railroad to any point in this State shall consist of livestock, or shall be of such a perishable nature, or so damaged, or of such other character as to make it impracticable for it to remain in the possession of the company owning or operating said railroad for the space of three months after its arrival at the point to which it shall have been directed, and the owner or person to whom the same is consigned cannot be found after diligent inquiry, or being found and notified of the arrival of such freight shall refuse or neglect to remove the same, and pay the legal charges thereon, for the space of twenty-four hours, then, upon application by said railroad company, verified by affidavit, to any judge of the circuit court for the county in which the freight may be, [or to any judge of the Supreme Bench of Baltimore City, assigned to one of the common law courts of said city, if said freight be in said city,] setting forth the reasons for which said application is made, it shall be lawful for said judge to pass an order for the sale of said freight whenever said judge may deem such sale expedient, on such terms and notice as the order may prescribe; and the proceeds of said sale, if there be any remaining over, after payment of the expenses incident thereto and legal charges, including cost of the keep of such livestock or cost of storage on said