ments as it might have acquired from the property-holders between Twenty-fourth street and Cedar avenue, including the viaduct, which covers part of said right-of-way, and will also take up the tracks now laid down over said route, from Twenty-first street to Cedar avenue, and from Cedar avenue to First street, and will remove the old material, and surface the bed of Cedar avenue, where said tracks are removed. And it further agrees in case of condemnation proceedings by the Mayor and City Council of Baltimore to acquire the right-of-way, which the United Railways and Electric Company of Baltimore now owns, over the property of the Shirk estate, to turn over to the Mayor and City Council of Baltimore such sums as might be awarded to it for damages in taking said right-of-way, and that it will also pay to the Mayor and City Council such damages as might be awarded to the Shirk estate for its reversionary interest in the land covered by such right-of-way, and in case of failure on the part of said company to pay the money as above set forth, or to carry out any of the provisions in this ordinance contained, such failure, shall work a forfeiture of said grant, and the same shall become null and void.

Cedar avenue tracks removed.

Right of way on Shirk Estate.

SEC. 6. And be it further ordained, That this ordinance shall take effect from the date of its passage.

Approved January 16, 1901.

THOMAS G. HAYES, *Mayor.*

No. 104.

An ordinance to authorize and permit The Merchants and Miners Transportation Company of Baltimore City, duly incorporated, to grade, kerb and pave with Belgian blocks, at its own cost and expense, Chestnut street from the west side of Concord street to Mill street.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That the Merchants and Miners Transportation Company of Baltimore City, duly incorporated, be and it is hereby authorized and permitted, at its own cost and expense, to grade, kerb and pave with Belgian blocks, Chestnut street from the west side of Concord street to Mill street.

Grading of Chestnut st.

SEC. 2. Be it further ordained, That said grading, kerbing and paving by said company of said street shall be done under the supervision and with the approval of the City Engineer, and not otherwise, and shall also be done, so far as the same may be applicable, in pursuance of the Act of Assembly of Maryland, Chapter 219 of the Acts of 1892, and according to the provisions of any and all existing ordinances providing for the grading, gravelling, shelling, kerbing, paving, repaving, etc., of streets, lanes and alleys in the City of Baltimore, and in accordance also, if applicable, to the provisions of Ordinance No. 33, approved March 14, 1893, entitled "An ordinance to add additional sections to Article 48 of the City Code, in relation to the paving, etc., of streets, lanes and alleys," and of the ordinance amending said last mentioned ordinance, being Ordinance No. 50, approved March 24, 1893, and entitled "An ordinance to repeal and re-

Supervision City Engineer.