any circumstances until all bids are opened and action taken thereon as hereinafter provided. The check of the successful bidder shall be forfeited and become absolutely the property of the Mayor and City Council of Baltimore of the failure of said bidder to comply with the terms and conditions of sale as proposed by him, within ninety days after the passage of a valid ordinance authorizing and directing the sale of said city's interest in Western Maryland Railroad.

Not as penalty.

The said check shall be taken and considered as liquidated damages, and not a penalty, for failure of said bidder to execute his purchase as set forth in his said bid.

Bids sent to Council.

The City Register shall forthwith send said bids, unopened, to the Joint Special Committee of the City Council on Western Maryland Railroad, when they shall be opened immediately by said committee. The said committee shall then, without delay, report said bids to both Branches of the City Council with such recommendations as they may think proper regarding the same.

Authorizing advertising for bids.

And to further the purpose of this ordinance, the Chairman of the Joint Special Committee of the City Council on the Western Maryland Railroad and Thomas G. Hayes, Mayor of Baltimore City, are hereby authorized and directed to insert an advertisement in at least three daily newspapers of general circulation published in the City of Baltimore for not less than five times in each newspaper during the ten

days hereinbefore mentioned, and in one newspaper in the City of New York, and in one newspaper in the City of Chicago, for not less than three times in each paper during the ten days hereinbefore mentioned. The form of the advertisement to be as follows:

"Proposals for the purchase of the interest of the City of Baltimore in the Western Maryland Railroad.

Copy of advertisement.

"Sealed proposals or bids for the purchase of the interest and claims of the City of Baltimore in the Western Maryland Railroad Company as mortgagee, guarantor, stockholder, creditor, lessor, or of any other description, shall be filed in the City Register's office in the City of Baltimore on or before the ——— day of March, 1902, at 3 P. M., said proposals to contain the name or names of the proposed purchaser or purchasers, the terms of purchase as proposed by the bidder, what railroad or railroads, if any, are interested in said proposed purchase, and whether the proposed purchaser intends extending said Western Maryland Railroad to tidewater in the City of Baltimore.

$100,000 accompanying bid.

"Each of said proposals shall be accompanied by a certified check payable to the order of the Mayor and City Council of Baltimore for the sum of one hundred thousand ($100,000) dollars. Said check shall be returned to the unsuccessful bidder, or be applied as a credit on the price paid by the successful bidder.