be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid.

SEC. 3. *And be it further ordained,* That the right and duty are hereby expressly reserved to the Mayor and City Council of Baltimore at all times to exercise, in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained, and not inconsistent with the terms thereof, and until further action by the Mayor and City Council of Baltimore.

Compensation.

SEC. 4. *And be it further ordained,* That in consideration of the right hereinbefore granted, the said grantee shall pay to the Mayor and City Council of Baltimore the sum of fifty dollars ($50) within ten days after the passage of this ordinance.

Paving.

SEC. 5. *And be it further ordained,* That the said grantee after the construction of said track shall, under the supervision of the City Engineer, repave the street between the tracks and for two feet on either side thereof, and place the same in thorough repair and maintain the same and the said tracks in good condition throughout the full term of this grant; and in case and so often as the street shall in the future be paved or repaved with any improved pavement the said grantee shall, under the same supervision, repave the space between said tracks and for two feet on either side thereof with said improved pavement, and shall

maintain the same in good condition throughout the full term of this grant. Any work done pursuant to the requirements of this section shall be done by the grantee at its own expense exclusively. Paving.

SEC. 6. *And be it further ordained,* That non-compliance at any time or times by the grantee, its successors or assigns, with any of the terms of the grant hereby made shall operate as a forfeiture of the grant hereby made, which shall thereupon be and become void, and that nothing short of an ordinance of the Mayor and City Council of Baltimore shall operate as a waiver of any forfeiture of the grant hereby made.

SEC. 7. *And be it further ordained,* That if at any time the Pratt street track of the Baltimore and Ohio Railroad Company shall be removed, or if the said track shall be acquired by the City of Baltimore for the purpose of establishing a municipal trackage system, or for any other purpose of the municipality, then this ordinance shall be void, and all the franchises and rights hereby granted shall cease and be determined without compensation to the grantee, its successors or assigns.

SEC. 8. *And be it further ordained,* That the track hereby authorized shall be constructed under the supervision and to the entire satisfaction of the City Engineer, and that the rails that shall be used in the said construction shall be of such character as the City Engineer shall designate.

SEC. 9. *And be it further ordained,* That nothing contained in this grant shall be so