terms thereof, and that in the event of the said grantee, its successors or assigns, refusing, neglecting or failing to comply with any of the terms or conditions upon which the said franchise or rights are hereby granted, said franchises or rights shall be and become wholly null and void.

Paving.

SEC. 4. *And be it further ordained*, That the said grantee, its successors and assigns shall at its own expense in laying down from time to time its said railway tracks on said street adjust its said tracks to the grade of said street as the same is now or may hereafter be established by law, and shall at its own expense keep the space between said tracks and for two feet on either side thereof in thorough repair and shall at its own expense keep the same free from snow or other obstruction, but without obstructing the other portions of said street on either side of said tracks and shall pay to the city if and so often as said street shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents or any other officers or agents duly authorized by law the cost of paving or repaving the space between said tracks and for two feet on either side thereof.

Franchise tax.

SEC. 5. *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.

Non-compliance.

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.

Special conditions.

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.

Supervision.

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 and renewals thereof from time to time shall be of such character as the City Engineer shall designate.

No obstruction.

SEC. 9. *And be it further ordained*, That nothing contained in this grant shall be so construed as to allow the grantee, or its assigns to stand any car or cars upon the said curve outside the building line of the said William G. Scarlett and Company.

SEC. 10. *And be it further ordained*, That this ordinance shall take effect from the date of its passage.

Approved February 13, 1912.

JAMES H. PRESTON, *Mayor*.