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, within ten days after the passage of this ordinance, all expense of advertising and the sum of thirty-seven dollars and fifty cents ($37.50) and a like sum of thirty-seven dollars and fifty cents ($37.50), annually thereafter.

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 Fell 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 of 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 on the track hereby authorized to be constructed.

Revocable.

SEC. 10. *And be it further ordained*, That nothing contained in this ordinance shall be so construed as to allow the grantee, or its assigns, to stand any car or cars on the said switch or siding for longer than necessary to load or unload or in such a manner or for such a time, as to obstruct the public