

to be exercised by him in connection with the location, plan, character and mode of construction of the conduits and manholes which, by said Ordinance No. 41, the said telephone companies are authorized to construct.

Sec. 2. And be it further enacted, That if the rate per yard required by said Ordinance No. 41, of the Mayor and City Council of Baltimore, approved May 9, 1899, to be paid by the said Telephone Company to the Mayor and City Council of the city of Baltimore annually, is a less rate, in the judgment of the Mayor and City Council of Baltimore, than is a fair compensation for the rights and privileges by said ordinance granted to said Telephone Companies, and if the Mayor and City Council of Baltimore and the said companies cannot agree upon a rate to be substituted therefor, then and in that event and upon notification thereof by the Mayor and City Council of Baltimore to the Governor of the State, the latter shall thereupon appoint a commission of three disinterested and competent persons, who shall have power and whose duty it shall be to ascertain and fix a fair and just rate to be paid by the said companies in substitution for the rate fixed by said ordinance to be paid annually by the said companies to the Mayor and City Council of Baltimore, if any greater rate than that fixed by said ordinance is, in their judgment, a fair and proper rate to be paid by the said companies, and the rate so fixed shall be in all respects as binding and obligatory upon the said companies as if it had been fixed in the said ordinance, and the Governor shall fix the compensation to be paid to said persons, one-half of which shall be paid by the said companies and the other half by the Mayor and City Council of Baltimore.

Sec. 3. And be it further enacted, That nothing in this Act shall be so construed as to give to the Telephone Companies therein mentioned any greater rights than those described in the Ordinance of the Mayor and City Council of Baltimore, No. 41, approved May 9, 1889; and all further exercise of such rights by said companies is hereby made dependent upon the acceptance by the said companies of this Act within thirty days from its approval, and the filing of a certificate of said acceptance in the office of the Secretary of State.