

structed and the depth and width of the excavations in the streets and alleys to be made for said conduits and manholes; and in the power hereby granted to regulate the location of said conduits and manholes is included the power to ascertain and determine in what streets and alleys said conduits and manholes may, and in what streets and alleys they may not, be constructed, provided, reasonable provision is made for the fair and reasonable exercise of the rights and privileges granted by said Ordinance No. 41; and in executing the power of regulation by this Act granted to the Mayor and City Council of Baltimore, it may clothe the City Engineer with all such powers, in addition to those conferred upon the City Commissioner by said Ordinance No. 41, if any are deemed necessary, as are proper and appropriate 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, 1889, 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