

III. AND BE IT ENACTED, That upon the application of the mayor of the said city, (he being duly authorized by the city council of said city to make applications of such nature,) it shall and may be lawful for any justice of the peace for the county of Baltimore, from time to time, to issue his warrant to any surveyor of said county, to survey and plot any such land or parcel of ground, and any such spring, brook, water or water-course, and every such tract or way through any lands or grounds for the conveying of any stream or streams of water into the said city, as shall be shewn to him by the said mayor, and it shall be thereupon the duty of said surveyor to proceed to make a correct survey and plot thereof, and the same, when finished, to deliver to the mayor of the said city, with a certificate and explanation thereof.

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On application,
justice may issue his warrant, &c.

IV. AND BE IT ENACTED, That if the mayor and city council of Baltimore shall make any agreement, bargain or contract, with the owner or owners of, (as the case may be,) or the person or persons solely or jointly interested, in possession, remainder or reversion, in any such land, real estate, spring, brook, water or water-course, which they may conceive expedient or necessary to purchase and hold for the purpose of introducing water into the said city, or with the owner or owners, (as the case may be,) or the person or persons solely or jointly interested in possession, reversion or remainder, in any such grounds through which they may be desirous of conveying the said water into the said city, and for any right to enter and pass through the same, dig canals in, and lay or repair pipes therein, touching or concerning the purchase money to be paid, or recompence to be made to him, them, or any of them, respectively, then and in such case, such agreement, bargain or contract, shall be reduced to writing, specifying and declaring that the said land or real estate, and the said spring, brook, water or water-course, thus purchased as aforesaid by the said mayor and city council, for the purpose of introducing water into the said city, and the said grounds through which a right as aforesaid shall by said mayor and city council be purchased, to pass and dig canals in, and lay or repair pipes therein, for the purpose of conveying the said water into said city, shall be held, used, occupied and enjoyed, by the said mayor and city council of Baltimore, according to the true intent and meaning of this act, and such contract shall be annexed to the plot and certificate to which it refers, and with such plot and certificate shall be delivered to the clerk of Baltimore county court, whose duty it shall be to record the same, at the expence of the said corporation, and the same, or a true copy thereof, certified under the hand and seal of office of said clerk, shall be received as good evidence in any court of law or equity, to every intent and purpose to which the same may appertain or refer.

Any agreement, &c. to be reduced to writing, &c.

V. AND BE IT ENACTED, That if the mayor and city council aforesaid shall not be able to agree with the proprietor or proprietors as aforesaid for the purchase or lease of such land, real estate, spring, brook, water or water-course as aforesaid, which they may deem expedient to purchase and hold as aforesaid, for the purpose of introducing water into the said city, or for the right to enter and pass through, to use and occupy, such other grounds as aforesaid, through which they may deem expedient to convey the said water into the said city, or if there be any incapacity or disability in the owner or owners of such lands, real estate, spring, brook, water or water-course aforesaid, which the said mayor and city council may conceive expedient and necessary to purchase and hold as aforesaid, or in the owner or owners of such grounds through which the said mayor and city council may deem it expedient to have a right of entry and passage as aforesaid, for the purpose of conveying the said water into the said city as aforesaid, or if such owner or owners shall be absent out of the state, or unknown, it shall and may be lawful, on the application of the said mayor, for the chief justice of that judiciary district of Maryland wherein the city of Baltimore is or may be hereafter situated, to issue his warrants to the sheriffs of Prince-George's and Frederick counties, commanding and directing them respectively to summon from each of their respective counties, a jury of fifteen freeholders, inhabitants of their respective counties, not related to the owner or owners, or persons interested as aforesaid in the said real estate, spring, brook, water or water-course, which the said mayor and city council may deem expedient to purchase and hold for the purpose of introducing water as aforesaid into the said city, or to the owner or owners, or persons interested in the ground or grounds as aforesaid through which the said mayor and city council may be desirous to purchase a right of entry and way as aforesaid, for the purpose of conveying the said water into the said city, to meet and appear on the premises which are to be valued, and such valuation shall be begun to be made by them on such day, as in such warrant shall be appointed, of which five days previous notice shall be given by the said mayor to every owner or person interested as aforesaid, or if any infant or lunatic, or *semi-covert*, to his or her guardian or husband, or in either case left at his or her last place of abode, or if out of the state, or unknown, such notice shall be published not less than eight weeks successively, in some one or more of the Baltimore news-papers, and from the pannels of jurors so returned and attending,

If not able to agree, chief justice may issue his warrants, &c.