

sufficient passage way for carriages, horses, or foot passengers, and forthwith restoring to their former condition all such highways, streets, lanes, alleys and side pavements as may at any time be dug, opened or taken up.

126. They may establish reservoirs and public fountains in such parts of the streets and squares of said city as they may think proper, and may grant to all persons and corporate bodies the privilege of using said water in such manner and upon such terms and in such quantities as they may think proper.

127. They may insert and repair at the expense of the city such number of fire plugs as they may deem necessary into the pipes used to convey water through the streets of said city, to be used only in cases of fire, but free from any charge therefor.

128. They may convey such water in such manner and by such route as they may deem proper, and they may appropriate such and so much land as may be necessary and proper for the location and construction of any work or building appurtenant to said water works, and any spring not attached to any dwelling that may be necessary for furnishing a full supply of water.

129. If compensation shall be required by any person whose rights may be affected by the conveyance of said water or the appropriation of land or spring, and such person shall not be able to agree with said corporation upon the amount of such compensation, or if the owners, or any of them, be *feme covert*, under age, *non compos mentis*, or out of the county, application may be made to any justice of the peace for Frederick county who shall thereupon issue his summons under his hand and seal, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants of said county not interested in the property to be valued, to meet on the land, or near the other property to be valued, on a day named in said summons, not less than ten nor more than twenty days after the issuing of the same.

130. If at the time named in said summons any of said jurors summoned do not attend, the sheriff shall immediately summon as many jurors as may be necessary with the jurors in attendance, and from them each party or his agent, or if either be not present in person or by agent, the sheriff for him, may strike off four jurors, and the remaining jurors shall act as the jury of inquest of damages.