

determined who are the owners of said property and property rights, at such price or prices as may be mutually agreed upon between the owners of said property and property rights and the Mayor and Council of Hagerstown, and for the purpose of purchasing said lot and property rights the Mayor and Council of Hagerstown are authorized to act without submitting the matter of said purchase to the qualified voters of the City of Hagerstown, but the act of the Mayor and Council of Hagerstown in the purchase of said lot shall be conclusive and final, and upon the payment of the purchase money and the passage of deeds or other proper legal instruments of conveyance, title to said lot and property rights shall vest in the Mayor and Council of Hagerstown as fully and to the same extent as if the purchase of said lot had been ratified by the vote of the qualified voters of Hagerstown. The Mayor and Council of Hagerstown are further authorized and empowered to make such necessary improvements on said lot as in their judgment may be deemed necessary, and to pay for them out of any funds which may be at their disposal not levied for a specified purpose in order to adapt said property and the buildings and improvements thereon to such municipal uses as in their judgment said lot may be best fitted to subserve.

SEC. 3. *And be it enacted*, That in the event that the Mayor and Council of Hagerstown cannot agree with the owner or owners upon a purchase price for said lot and property rights, or in the event it shall be impossible to accurately determine who the owner or owners of said lot and property rights are, or in whom the title thereto may at present vest, or if any such owner or owners be a feme sole and without power to contract in that regard, under age, *non compos mentis*, or under any other legal disability to contract, or be out of Washington county at the time said property is wanted, then and in all such cases application may be made by the Mayor and Council of Hagerstown to any judge of the Fourth Judicial Circuit of Maryland and thereupon the said judge, upon its being made to appear satisfactory to him that said lot and property rights are necessary and proper to be condemned for the use of the Mayor and Council of Hagerstown for a site for a building to be used for municipal purposes, shall issue his warrant, directed to the sheriff of said county, requiring him to summon a jury of twenty inhabitants, who are freeholders and qualified voters of the City of Hagerstown, and not related to said owner or owners of any property rights in said lot, or in anywise interested in said lot, to meet on the premises to be valued and condemned.