

or advisable to carry out such plan, without being liable for more than the actual damage done, but no unnecessary damage shall be done, and wherever possible permission to do such preliminary and final work shall be obtained on such terms as said Mayor and City Council may deem proper.

1927, ch. 470, sec. 9.

**123.** In order to prevent or lessen the danger from floods in said City of Cumberland, and particularly to carry out any and all of the provisions of said Partial Flood Prevention Plan and to accomplish any and all of the purposes designed to be accomplished by said Plan and by this Act, said Mayor and City Council of Cumberland is authorized and empowered to clean out, dredge, straighten, widen, deepen, divert, alter or change the course of Will's Creek or any other natural or artificial water course, or any ditch, drain or sewer within said City, and to fill up the same or any of them; to construct and maintain main and lateral ditches, sewers, sewer gates, pumps, canals, levees, dikes, dams, sluices, revetments, reservoirs, holding basins, floodways, pumping stations, siphons, or other similar works or instruments; to heighten, lower, alter, modify or otherwise change the banks of Will's Creek and the Potomac River; to erect walls along or at any point or points within three hundred (300) feet of said banks or any of them, and to raise, heighten, add to, lower, strengthen or otherwise change, alter or modify existing walls now located along said banks or any of them or within three hundred (300) feet of said banks or any of them; to strengthen, narrow, and otherwise change and modify the piers and other sub-structures of any and all existing bridges over said Will's Creek and the Potomac River; to remove all dams and other obstructions in the beds of either of said streams, and to lower or otherwise change and modify such dams and other obstructions, and to change the construction and operation of the same; to elevate, lower and change the grade and location of streets, alleys and roadways, both public and private, and to close or open the same, under all the powers which now exist in said Mayor and City Council of Cumberland for said purposes and by the same methods; to remove, model, rebuild, change the location of, or otherwise alter, change or modify any and all sheds, houses, stables, garages, storerooms, or other buildings of every description, and also all fences, gates, doorways, windows, openings of all sorts, viaducts, and canal and railroad works and construction of every sort and description; to reclaim, fill in, or remove wet and overflowed land and islands, and to clear the same of all trees, bushes, and other foliage; to regulate the flow of Will's Creek or the Potomac River to construct any and all of the works herein authorized across, through and over any gas, electric light, water power, canal or railroad company property or right of way, or any public or private highway, street, road or alley, and to operate, repair, and otherwise maintain any and all of said works; to buy, own, hold, lease, control, condemn, or otherwise acquire real and personal property, and any rights in the same, including riparian rights, easements, rights of way,