

given in this section, without just compensation being first paid or tendered to the person entitled to such compensation; as agreed upon with the owners of such property, or as may be awarded by a jury summoned for the condemnation of said lands by the Sheriff of Washington county, in the manner provided by law in such case, or upon appeal from the award of any commissioners appointed under the powers granted herein to the Circuit Court for Washington county, and upon verdict after trial in said Court, if the party appellant demand a jury trial.

Jury of condemnation.

SEC. 134. The Mayor and Council shall likewise have power to condemn any portion of any lot or piece of ground for the establishment of a water course or drain thereon; provided, however, that before entering upon any lands for the purposes herein named, in case the owner or possessor of said piece of ground cannot agree with the town authorities upon an amount in satisfaction of any damages that may be occasioned him by said entry, and the establishment of said water course or drain, then proceedings be taken for the condemnation of said lands as provided in the foregoing section of this act.

Condemn ground for water course

SEC. 135. All property within the limits of Hagerstown, or that may have a situs there by reason of a residence of the owner therein, shall be liable to be taxed for municipal purposes, and the assessment for town purposes shall be the same as that for State and county purposes; and in case any real estate assessed for State and county purposes be divided by the town lines, the Mayor and Council shall place a fair valuation upon that contained within the town limits, and make a just apportionment of said assessment. Should any property, liable to be taxed for town purposes, be omitted in the county assessment, the Mayor and Council shall have power to include said property in the town assessment and to impose a just valuation thereon.

Tax for municipal purposes

SEC. 136. The Mayor and Council shall have power to license and regulate all hackney carriages, omnibuses or other vehicles used in said town in the carriage of passengers and travellers; provided, however, that any license imposed as herein declared

License to carriages, &c.