

of its ever increasing use as a depository for filth and other refuse, and as the outlet of many sewers and drains, the stream commonly known as the Mill Race, in the city of Cumberland, has become a source of annoyance and likewise a menace, if not an injury, to the health of those living and working within the zone of its influence, and it is necessary to remedy this evil by changing and improving said mill race in such manner as may be found expedient; therefor,

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Joseph White, William D. Paisley and Hazellhurst Sprigg be and they are hereby constituted commissioners, with full power and authority, and as such are hereby required and directed forthwith so to straighten, deepen or otherwise alter and improve and make permanent the course or channel of said mill race, as they, or a majority of them, may deem necessary or desirable, in order to make the same an ever-flowing, self-cleaning water course or drain; and to this end are hereby further empowered and directed to let by contract the supplying of all necessary materials and labor and the doing of all necessary work, or themselves to purchase said materials, hire said labor and do said work, or themselves to do part and let other part or parts, as they or a majority of them may deem expedient.

SEC. 2. *And be it enacted,* That to the end aforesaid the said commission, or a majority of them, are hereby empowered and directed to acquire, in the name and for the use of the city of Cumberland, any property that may be needed or desired, either by agreement with the owner thereof, or, if the owner be out of the county or for any cause be legally incapable of contracting, by condemnation in the manner prescribed by sections 251 and 252 of article 23 of the Code of Public General Laws of the State of Maryland, and to borrow temporarily such sums of money as may be needed to pay therefor, pending payment for said improvements as hereinafter provided.

SEC. 3. *And be it enacted,* That the cost of said improvements shall include the sum paid for property as hereinbefore provided, and also the sum of three hundred dollars, to be equally divided among the commissioners acting as compensation for their services; and that not exceeding two-thirds of said cost shall be assessed and levied by said commissioners, or a majority of them, in the manner provided by the charter of the city of Cumberland, upon the owners of the property abutting upon said mill race, according to the number of front feet owned by each, and that the remainder thereof shall be paid by the city of Cumberland, and that said assessment and levy