

County," sub-title "City of Cumberland," to provide for the purchase and condemnation of a right of way, as nearly as practicable fifty feet in width, along the water main extending from the Fort Hill Reservoir, near the City of Cumberland, to the intersection of said line with the Mason and Dixon Line, in Allegany County, Maryland."

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the charter of the City of Cumberland be and the same is hereby amended by adding thereto a Section to be designated as Section 78-D 4 of the Local Laws of the State of Maryland, under the title "Allegany County," sub-title "City of Cumberland," the same to read as follows:

SEC. 78-D 4. That, if the Mayor and City Council cannot agree, or if there be any incapacity or disability to contract with the owner or owners of any land traversed or through which is laid the water main of the City of Cumberland, extending from the Fort Hill Reservoir, near the City of Cumberland, to the intersection of the water main of said city with the Mason and Dixon Line between Allegany County, Maryland, and Bedford County, Pennsylvania, through which the water is conveyed from Evitt's Creek in Bedford County, Pennsylvania, to the City of Cumberland, or if such owner or owner shall be absent out of the State or unknown, or without legal capacity to contract by reason of infancy, coveture or otherwise, it shall be lawful for the Mayor and City Council of Cumberland to secure by condemnation a right of way, as nearly as practicable fifty feet in width (except where the same may cross public roads), the same to extend as nearly as practicable twenty-five feet on each side of the center line of said main, the title to which, whether acquired by purchase or condemnation, shall thereafter vest in the Mayor and City Council of Cumberland in fee, with the right to purchase or condemn such land on either side of said right of way as may be necessary to properly grade any surface water on streams over or under said main, such condemnation to be in the same manner and by the same proceedings as heretofore provided for railroad companies by the Acts of Assembly of 1896, Chapter 151, and by the Acts of Assembly of 1892, Chapter 657, Section 167-A (which should have been designated 167-B).

SEC. 2. *And be it further enacted,* That all Acts and laws inconsistent with this Act be and the same are hereby repealed in so far as the same may be inconsistent.