

aplaine, Esq. and legalized by Chapter 99 of the Acts of Assembly of 1922, be and the same are hereby repealed and re-enacted with amendments so as to read as follows:

290. The Mayor and Aldermen of Frederick shall have full power to provide for laying out, opening, extending, widening, straightening or closing up, in whole or in part any street, lane or alley within the corporate limits of the city, which in its opinion the public welfare or convenience may require; to acquire by purchase or condemnation any ground or improvements, or any interest therein, within the corporate limits of the city, which in its judgment may be necessary for that purpose. In the event it is unable to agree with the owner or possessor of any ground, or improvements, or interest therein, necessary to be taken and condemned for the purpose aforesaid, or if the owners or possessors, or any of them, be under age of twenty-one years, non compos mentis, non residents of the State, or unknown, then it may acquire any such ground or improvements, or interest therein, by condemnation proceedings as provided in this Section and Section 291 of this Article, anything in any other public local law or public general law to the contrary notwithstanding. It is hereby authorized to provide by ordinance, for ascertaining whether any and what amount in value of damage will be caused thereby, and what amount of benefit will thereby accrue to the owner or possessor of any ground or improvements, or interest therein within the corporate limits of the city, for which said owner or possessor ought to be compensated or ought to pay a compensation; and to provide for assessing and levying, either generally upon the whole assessable property of the city, or especially upon the property of persons benefited, the whole or any part of the amount of damages and expenses which it shall ascertain will be incurred in locating, opening, extending, widening, straightening or closing up the whole or any part of any street, lane or alley in the city, and for the collection thereof. To provide for the appointment of three persons as Commissioners, who shall be freeholders of the city and not interested in or holding lands through which the street, lane or alley, or portion thereof, is to be laid out, extended, widened, straightened or closed up, to appraise and award damages that will be caused thereby, and to ascertain the assessed benefits that will thereby accrue, as hereinbefore provided. After their appointment the commissioners shall qualify by taking an oath or affirmation to be administered by the Mayor that they will faithfully and impartially perform the duties of their office to the best of their skill and ability. Said commissioners shall have the power and authority to administer oaths or affirmations and to issue subpoenas and subpoenas duces tecum