

*Marsh Run.*

1916, ch. 71, sec. 1.

**459.** The Mayor and Council of Hagerstown is hereby authorized and empowered to acquire by purchase or condemnation a certain tract or tracts of land, with the improvements thereon; abutting on and along both sides of a stream of water for its entire length commonly called and known as "Marsh Run" in Hagerstown, Maryland; the entire stream of water of said Marsh Run from the eastern boundary of the property of the Hagerstown City Park to Antietam Creek together with any and all rights, easements, privileges and ways of all persons and corporations therein and any and all streams of water, water-ways, water courses and drains emptying therinto and all rights of every kind and description whatsoever of all persons and corporations therein, without the necessity of submitting the said purchase or the said award or the ratification thereof to the qualified voters of Hagerstown, the same when so acquired to be used for drainage purposes for the inhabitants of Hagerstown, and when so acquired the title thereto shall vest in the Mayor and Council of Hagerstown in fee simple.

1916, ch. 71, sec. 2.

**460.** The Mayor and Council of Hagerstown may enter into contract or contracts with the owners thereof for the purchase of said tract or tracts of land mentioned in Section 459 of this subtitle, together with the improvements thereon, and with the owners of the stream of water known as "Marsh Run" and any of their rights therein and also for any and all streams of water, water-ways, water-courses and drains emptying into said Marsh Run including any and all easements, rights, ways and privileges of all persons and corporations, claiming and owning any rights of any kind and description whatsoever therein or in any wise appertaining thereto, and if the Mayor and Council of Hagerstown can not agree upon a reasonable price and terms of payment for said purchase, as aforesaid described, then and in that event the Mayor and Council of Hagerstown be and it is hereby authorized and empowered to condemn the said property, tract or tracts of land with improvements thereon together with the stream of water known as "Marsh Run" from the eastern boundary of the property of the Hagerstown City Park to the Antietam Creek and all streams of water, water-ways, water courses, drains and sewers emptying into the said stream of water known as "Marsh Run" aforesaid and all the rights, easements, ways, privileges and water rights of every kind and description whatsoever of all persons and corporations claiming or owning any and all such rights therein or in any wise appertaining thereto, and the proceedings of condemnation shall be as provided by Article 33A of Chapter 463 of the Acts of the General Assembly of Maryland passed at its January Session, 1914.

1916, ch. 71, sec. 3.

**461.** The Mayor and Council of Hagerstown after the amount of the purchase money has been fully and finally determined and agreed upon