

vided for by Chapter 463 of the Acts of the General Assembly of Maryland passed at its January Session, 1914, which said Act is known as Article 33A of the Public General Laws of Maryland regulating the procedure for the acquisition of property for public use by condemnation, so far as the acquisition by condemnation of any such land or property, sewer, drain, water course, stream of water, situated wholly or partly within the City of Hagerstown or Washington County, or any interest, franchise, easement, right or privilege therein is concerned, may, in any case or cases, at the option of said commission, at any time hereafter be provided for by any lawful ordinance or ordinances of the Mayor and Council of Hagerstown adopted pursuant to the power conferred upon it by this Act.

SEC. 4. *And be it further enacted*, That all individuals and corporations lawfully having buildings, structures, works, conduits, mains, pipes, tracks or other physical obstructions in, over or under the public lanes, avenues, streets, alleys or highways of the City of Hagerstown, which shall block or impede the progress of said sewerage system, when in process of construction and establishment, shall, upon reasonable notice from said commission, promptly so shift, adjust, accommodate or remove the same at their own cost and expense, as to fully meet the exigencies occasioning such notice; and if any such individual or corporation shall refuse, neglect or fail after such reasonable notice to discharge any duty cast upon him or it by this section, he or it shall, in addition to but not in substitution for any other remedy or remedies that said commission or the Mayor and Council of Hagerstown, may have in the premises, be subject to a fine of fifty dollars for each and every offense, and also to an additional fine of ten dollars a day for every day that said refusal, neglect or failure shall continue; said fines to be collected as other fines in the City of Hagerstown are collected; and should the exigencies of said commission and its work in any case involve a taking, in the constitutional sense, of the franchise or right in the exercise of which such obstruction had its origin, the Mayor and Council of Hagerstown, acting by and through the agency of said commission, shall be empowered to secure the condemnation of such franchise or right in the manner provided for in Section 3 of this Act. The preceding provisions of this section shall likewise be applicable to any such obstruction in, over or under the public highways of Washington County of this State into which said sewerage system shall extend. The duty and cost of adjusting or removing private drains and sewers in