

the value of the matter in question shall exceed five hundred dollars. CHAP. 196.

SEC. 10. *And be it enacted*, That the said corporation may purchase and hold in fee simple or otherwise, all such land and real estate suitable for the erection of the necessary works, and that may be necessary in whole or in part for the proper accomplishment of their undertaking, as shall be proper; and may divert from the usual bed and course for the purpose aforesaid, at such place or places as they shall think fit and suitable for the purpose, any stream or streams which they may think suitable, or any part or parts thereof, they obtaining the consent of all persons having any right, interest or property in the stream or streams respectively, so to be diverted in whole or in part, or in the lands through which such stream or streams may be intended to pass after being so diverted; and the said corporation shall have full power and authority to make a canal and tunnel, or either of them, for the conveyance of the said water under and along any public highway, or any street or streets, lane or lanes, alley or alleys, of the town of Frostburg, and to lay a pipe or pipes, in such highway, or in any of the said streets, lanes or alleys, for the purpose of conveying and distributing the said water; and the said pipes from time to time to renew and repair, and for those purposes to dig, break up and open at their own expense, all or any part of such highway, or of such streets and alleys, and of the pavements and footways thereof, leaving at all times a sufficient passage way for carriages, horses, and foot passengers, and restoring forthwith to their former condition, all such highways, or all such of the said streets, lanes and alleys, pavements and footways, as shall from time to time, and at any time, be so dug, opened or taken up; *provided*, that no power herein granted shall be used so as to interfere with the free use of the national road, or with the construction of the Baltimore and Ohio Rail Road.

Real estate

Divert streams

Consent required

Canal or tunnel

Highways or streets, &c.

National road

Construct reservoirs, &c.

SEC. 11. *And be it enacted*, That the said corporation shall have full power and authority to construct reservoirs in the squares, and establish public fountains in such parts of the streets and squares in said town as they may think proper; and to grant to all persons