No. 110.

An Ordinance to repeal Ordinance No. 64, approved March 28th, 1893, entitled "An ordinance to authorize the Park Commissioners to purchase or condemn all that portion of ground situated within the limits of the south side of Carroll Park, east side of Monroe street, north side of Columbia avenue and the west side of Gunpowder street, for the purpose of enlarging Carroll Park," and to re-enact and re-ordain the same with amendment.

To repeal and re-enact.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That Ordinance No. 64, approved March 28th, 1893, entitled "An ordinance to authorize the Park Commissioners to purchase or condemn all that portion of ground situated within the limits of the south side of Carroll Park, east side of Monroe street, north side of Columbia avenue and the west side of Gunpowder street, for the purpose of enlarging Carroll Park," be, and the same is hereby, repealed and re-enacted and re-ordained with amendment, as follows, to wit:

To acquire the title to certain ground.

An ordinance to provide for the acquiring by the Mayor and City Council of Baltimore, by purchase or condemnation, the title to all that portion of ground situated within the limits of the south side of Carroll Park, east side of Monroe street, north side of Columbia avenue and the west side of Gunpowder street, for the purpose of enlarging Carroll Park.

Authority to purchase or acquire.

Section 1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Park Commissioners be, and they are hereby, authorized and directed to purchase and acquire so much of the ground above mentioned as they can so do by agreement with the owner or owners thereof; and if they cannot agree with the owner or owners of any lot or portion of the ground situated within the limits of the south side of Carroll Park, east side of Monroe street, north side of Columbia avenue and the west side of Gunpowder street, or any interest therein, as to the price to be paid for the same, or if such owner or owners are at the time of such application under age, *femme covert*, *non compos mentis*, the unknown heirs of some deceased person or persons, non-residents of the City of Baltimore, or under disability to contract for the same, they shall have power to condemn the same; in case of such condemnation, the course of proceedings shall be as follows: a petition shall be filed in the Baltimore City Court, in the name of the Mayor and City Council of Baltimore, setting forth a description of the land proposed to be acquired, together with the statement that the said land is desired as a portion of Carroll Park, and that the said Park Commissioners are unable to agree with the owner or owners thereof, or some of them are under age, *femme covert*, *non compos mentis*, the unknown heirs of some deceased person or persons, non-residents of the City of Baltimore, or are under some legal disability to contract, and a prayer that the court will have the same condemned; the court shall thereupon pass an order requiring a summons to issue for the owner or owners, or supposed owner or owners of the said property, and for the husband and wives, respectively, of those

Conditions under which power to condemn is granted.

Course of proceedings in case of condemnation.