expressly reserve the right, at all times, to exercise full municipal superintendence, regulation and control in all respects over said street, which is a public highway, and nothing in this ordinance contained shall be construed to give or vest any title in said street to said company at any time.

City controls.

SEC. 4. And be it further ordained, That pending and during said work, and until its completion by said company, it hereby agrees to save harmless said Mayor and City Council of Baltimore from all liability which may happen or arise in any way by reason of the doing thereof.

Approved February 1, 1901.

THOMAS G. HAYES, *Mayor.*

No. 106.

An ordinance to provide for the acquiring by the Mayor and City Council of Baltimore, by purchase or condemnation, the title to a lot of ground lying and being in the City of Baltimore, State of Maryland, situated in the western section of Baltimore City, west of Gwynn's Falls, south of Edmondson avenue, north of Frederick road and east of Heald's lane, for the purpose of establishing there a new park.

Park Commission authorized to buy lot.

SECTION 1. Be it ordained by the Mayor and City Council of Baltimore, That the Board of Park Commissioners be and they are hereby authorized and directed, immediately after the completion of the Carroll Park extension, as provided for by Ordinance No. 72 of the Mayor and City Council of Baltimore, approved September 27, 1897, to purchase and acquire a lot of ground, not less than twenty-five acres

lying and being in that part of Baltimore City and State of Maryland, west of Gwynn's Falls, south of Edmondson avenue, north of Frederick road and east of Heald's lane; the exact location within said limitations to be determined by the Park Commissioners, and then and there to establish a park for the use and convenience of the people.

SEC. 2. And be it further ordained, That if in the furtherance of this purpose the Park Commissioners are unable to acquire from the owner or owners the title to such ground, or any part thereof, by agreement, 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, they shall have power to condemn same. In cases 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, in part or whole, for the establishment of a park, and that the said Park Commissioners are unable to agree with the owner or owners thereof, or some of them, or under age, *femme covert* or *non compos mentis*, the unknown heirs of some deceased person or persons, or non-residents of Baltimore City, or under some legal disability to contract, and a prayer that the court will have same condemned; the court shall thereupon pass an order requiring the owner or owners, or

Condemnation proceedings.