they may be removed, and to the report of the joint committee thereupon.
Before discussing the comparative advantages or disadvantages of the Rail Road on Pratt street, your committee would suggest for consideration, the question whether the right of the Corporation to act under the 10th section of the ordinance of 1831 number 18, has not been waived by subsequent legislation, and whether under this legislation, vested rights in individuals have not been created, which are a bar to the exercise of the powers originally reserved to the Mayor and City Council. After the main stem was laid down in Pratt street numerous applications for branches in the lateral streets were from time to time made to the City Council and granted. Finally, however, for the purpose of securing a general system an act of assembly was obtained (2 December session 1831, Chap 252) authorising the Mayor and City Council and directing them, "on the "application, or assent in writing of the owners of the major part in extent "of front feet, of all the lots fronting on each side of any street or part of a "street to pass all such ordinances as shall be necessary for the construction "of any track or tracks of rail ways, on or along any such street or part of "a street - and further to levy and assess on all the lots fronting on said "street or part of a street through or on which such rail way should be constructed "or on the owners of such lots their just proportion of the expense of such "construction, and enforce the payment thereof." Under the authority & obeying the direction of this act the Mayor and City Council passed the Ordinance of 1832, N° 41, under which most of the rail roads in the lateral streets have been laid down, and the cost of which has been levied and in several instances collected by the compulsory process which the act of assembly authorised, and which ordinance indicate. To the use of the lateral roads thus laid down, it appears to your committee that the proprietors of the property fronting on the streets containing them have a vested interest, which no present action of the Council can impair, upon the well known principle which makes the passage of ex post facto laws and laws impairing the obligation of contracts unconstitutional. To the enjoyment and use of these lateral tracks, it is very evident that the main track on Pratt street is indispensable, so long as the main stem was the only rail way in the street. So long as the lateral tracks were made without the authority of the corporation, and at the risk of the proprietors, so long did the rights of the corporation, as your committee believe, continue perfect, so far as they related to the removal of the main track. But when under the joint authority of the legislature and corporation, individuals constructed lateral roads, or paid for their construction, to the use of which lateral rails the main stem was essential, the rights of the corporation to order the removal

removal of said main stem, ceased as fully to all intents and purposes as though the Ordinance reserving said right had been expressly repealed - in making this suggestion your committee are actuated by a desire, that there should be a full examination of it; so that should it become necessary, the present right of the City Council, to remove the track in Pratt St may be investigated and determined. With respect to the General question, it is not, (as supposed by some) whether the stopping the rail road at the Mount Clare depot, would or would not benefit the City; the more heavy and bulky articles will not bear the expense of drayage, and even flour (our great staple) if burdened with this charge will find a better market in the District of Columbia and we must not only lose that, but the return trade also. The rail road must go to the water either within or without the City; and the question is simply whether conducting the Western trade to our City by the rail roads, or conducting it from our City by the rail road, would best promote our interest. As regards the inconvenience complained of in Pratt street, where the throng of business is greatest at the head of the basin and between Light and Hanover street, it is confidently believed by your committee, that there is even less confusion and disorder now, than before the track was laid down. Formerly the wagons loaded with their poles across the streets, stopping or much interfering with the free passage. They are now loaded with their side to the pavement and the existence of the track has given rise to a well known and almost universally followed custom of the Carts, drays, wagons Carriages &c, keeping on the opposite sides as they pass in different directions.

Your committee have heard but few complaints of any difficulty in the free passage of water under the iron bars by which the track is carried over the gutters, except that at Howard street. This inconvenience may be remedied by removing the cause thereof, viz: the platform which supports the curve, and placing a revolving platform in the main stem, as practised in other similar situations. But your committee would observe that the Howard street road belongs to individuals, & not to the Rail Road Company. The justice of absorbing to the Rail Road the inconvenience occasioned by the deep snows which fell during the present winter, your committee decline examining.

After a careful examination of the subject your committee can discover no argument in favor of removing the Rail Road from Pratt street other than that of benefitting a few spots and a few individuals, at the expense of the community. If Baltimore were the only market in the Union, instead of being as she is, struggling in a powerful competition, the measure would be unwise. Her true interest is to offer every inducement to purchasers and sellers to resort to her, and to free her trade from every possible inconvenience and restriction.

By the resolution of the City Council of 1828 N° 69, the Mayor and City Council directed that two squares of ground on the property belonging to the City in the third Ward should