Tuesday. April 9th. 1839.

The Branch met pursuant to adjournment — present Joshua Dryden, Esq. President, and all the Members except Messrs Keyser and Brown.

Mr. Pinkney presented a petition from Isaiah Mankin, praying to be refunded to him a certain amount of taxes erroneously paid by him in 1836, which was read, and referred to the Committee on Claims.

The Second Branch returned the Bill entitled "An Ordinance to change the name of Busy Alley in the City of Baltimore", endorsed "will pass".

The Second Branch also returned the resolution reported by the Committee of Conference on the subject of the House of Industry, endorsed "concurred in".

A report and Bill entitled "a supplement to an Ordinance entitled an Ordinance for the better regulation of Rail Road Cars, No. 43, approved May 22d. 1838." were received from the Second Branch, and read a first time.

The Mayor communicated the City Counsellor's opinion on certain judgments against the City Corporation, which were read, and referred to the Committee on Claims.

Mr. Pinkney, on leave, submitted the following, which was read a first, and by special order the second time, concurred in, and sent to the Second Branch:

Resolved by the Mayor and City Council of Baltimore, That the legal counsel of the City take immediately such steps as he may deem necessary to protect the rights of the City in the case of the claim made by Richard and Barbara Marsh, on the personal property of John Lewis of Baltimore County, who died intestate and without heirs, and which property, by a Law of the Legislature of Maryland, passed 3d. February 1815, became vested in the City of Baltimore for the benefit of the Free Schools of said City.

Mr. Watkins from the Committee, submitted the following report and resolution, which were read a first time.

The Joint Committee on Streets to whom was referred the petition of John Hays and others, requesting the City Council to pass an Ordinance authorising the City Commissioners to have the footways of Clay-Street made ten feet wide, a

(one-fourth)

one-fourth part of the whole width of the aforesaid Street, and to grade the same, report, that they have given the subject their attention, and have ascertained that the City Commissioners have power to fix and determine the width of said footways; but as it respects the grading of said Street, it is the opinion of your Committee that a resolution ought to be passed, authorising the City Commissioners to grade the Street aforesaid.

J. W. Watkins.
George P. Kelly. } 1st. Branch.
Henry Snyder.
W. T. Wright
Joseph Hook Jr. } 2d. Branch.
Samuel Boyd.

Resolved by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby authorised, to alter, change, and establish the grade of Clay Street, from Liberty to Howard Street in such manner as to them may appear just and reasonable: provided a majority of the property holders fronting on that part of Clay Street, shall file an application in the Office of said Commissioners for that purpose, and shall also agree to pay the expense of the same.

Mr. Pinkney offered the following resolution, which was read: Resolved by the First Branch of the City Council of Baltimore, That the Legal Counsel of the City furnish the Council with his opinion stating in whom the appointing power of the Directors of the Ohio and Susquehanna Rail Road Company, is vested, so far as regards the Directors on the part of the City of Baltimore.

Mr. Seidenstricker moved the following amendment thereto, which was read:

"Add at the end of the resolution, "and likewise whether the present Trustees of the Poor had authority, under the Laws of the State to enter into the discharge of their duties prior to the first day of March."

Mr. Wallis moved to amend the amendment as follows:

"And further, That the Counsellor of the City inquire into the legality of the nominations made by the Governor of Maryland to the Senate, of Directors in the Baltimore and Susquehanna Rail Road, and Baltimore and Ohio Rail Road Companies.

Mr. Pindell moved that the whole subject be referred to

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