of January 1838. passed an Act repealing the original Act relating to Rum Alley, provided, that the expenses for the compensation of the Commissioners and Surveyor, and all other incidental charges incurred in pursuance of the Ordinance of the City, and also the further sum of $400. to be paid to John Lester, be by said Commissioners assessed upon and paid by the persons charged for the assessment under said Ordinance in the proportions of said last mentioned assessment, and that the payment of the same be enforced as such last mentioned assessment might have been, and be to every effect in lieu thereof. In the same Act the Mayor and City Council are authorised to pass any Ordinance to carry into effect the provision for payment of the compensation and charges aforesaid, and the allowance to said Lester.

Since the passage of the aforesaid Act no further action has taken place on the part of the Mayor and City Council. Some of the parties having claims for compensation for services rendered under the Ordinance for opening said Alley, have instituted Suits against the City, and have recovered Judgments, upon the grounds that the Ordinance of August 2d. 1837. was an improper interference with the vested rights of the parties, and entitled them to recover damages against the City, and upon the same grounds the Petitioners can recover their claims, by the institution of suits against the City. It is therefore proper that the City should make payment of said claims without being put to further cost.

In the opinion of your Committee, the provision of the Act of Assembly last mentioned to assess the expenses upon the property holders, when the Street has not been opened, and no consideration has been derived to the persons required to pay the assessment, will have no binding force upon the property holders, unless they choose voluntarily to pay the amount assessed to them.

The Ordinance of August 2d. 1837, was passed upon the application of the persons most interested, and it was expected and understood that the money mentioned in the Ordinance would be paid, before the time specified, but it appears that such was not the case, and before the expiration of the limited time, an Act of Assembly was passed which has had the effect to throw the whole expense of the Commissioners upon the City. The Committee know of no means of saving the expense falling

finally

finally upon the City, except to memorialize the Legislature at its next Session to repeal the last mentioned Law, and thus the opening of the Street will take place under the provisions of the Ordinance on the subject. This course your Committee would recommend to be adopted, unless the persons who formerly agreed to defray said expense, shall voluntarily come forwards, and pay the amount thereof to the City Register.

Your Committee therefore offer the following resolutions.

Joseph Brown. } Committee
Daniel P. Barnard. } of the
William Pinkney. } First Branch.

James Frazier. } Committee of the
William Barnet. } Second Branch.

Resolved, by the Mayor and City Council of Baltimore, That the sum of Twelve hundred dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, with the approbation of the Mayor, out of any unappropriated money in the Treasury, to pay the costs and charges incurred, and certified by the Commissioners appointed under the Ordinance, approved April 19th. 1836. intitled "An Act in addition relating to Rum Alley," and to change the name of the same to that of Benton Street.

And be it further Resolved. That, unless the above mentioned sum of Twelve hundred dollars, or so much thereof as shall be required, shall be paid to the City Register, by the persons who applied for the passage of an Ordinance entitled "An Ordinance relating to Rum Alley," approved August 2d. 1837, as aforesaid, before the day of the meeting of the next General Assembly of Maryland, the Counsellor of the City, be, and he is hereby authorised and directed to prepare a memorial to the Legislature in the name of the Mayor and City Council of Baltimore, setting forth the facts of the case, and praying the Legislature to repeal an Act entitled "A Supplement to an Act entitled an Act relating to Rum Alley, in the City of Baltimore.

The Second Branch returned the resolution on the petition of Wm. Campbell, endorsed, "Concurred in with a proposed amendment," which amendment was concurred in.

The following Bills were returned by the Second Branch, severally endorsed "Will pass" viz –

The Bill relating to a State Armory and Town Hall; the Bill

relating