Mr Bolton moved that the branch reconsider the vote repealing the law of the State relative to firemen to the joint committee on fire companies. The motion was agreed to

On motion of Mr Bolton, the law was referred to the special joint committee to whom was referred the petition of the Independent Fire Company.

On motion of Mr Barnes, the bill entitled "an ordinance to provide for the opening of Fayette street" was taken up for consideration

The substitute offered by Mr Collins being under consideration, Mr Barnes moved to add at the end of the 3rd section "Provided that no property which does not lie in part or in whole upon Fayette street, or the continuation of Fayette street, or Pitt street, shall be assessed for the payment of any expenses or costs which may arise from the opening or extension of said Fayette street."

The amendment was lost, by the following vote, the yeas and nays being required by Mr Bolton

Yeas — Messrs Barnes, Bolton, Collins — 3

Nays — Messrs President, Londerman, Stansbury, Boyd, Laughey, Wright, Reese, Forman, Baker, Richardson — 10

Mr Barnes moved to add at the end of the third section "Provided that no property lying on the streets running ~~north and~~ south of Fayette street, as proposed to be opened by this ordinance, or of Pitt street, shall be assessed for any expenses or costs of opening said Fayette street, when it is distant from said street ~~on the south~~ side half a square and on the north side three hundred feet,

The amendment was lost

Mr Collins moved to add at the end of the third section "Provided that the commissioners shall not assess for said extension of Fayette street, any property on Baltimore street,"

The amendment was agreed to

Mr Barnes moved to strike out the words "or other property appropriated to public use," and insert "have been exempted from taxation by the laws of Maryland,"

Mr Boyd moved to strike out the fourth section, which was

agreed to by the following vote, the yeas and nays being required by Mr Collins

Yeas — Messrs President, Londerman, Boyd, Bolton, Laughey, Wright, Reese — 7

Nays — Messrs Stansbury, Barnes, Collins, Forman, Baker, Richardson — 6

The question being on the substitute it was agreed to

The bill was then put on its passage, and will pass, by the following vote, the yeas and nays being required by Mr Bolton

Yeas — Messrs Londerman, Stansbury, Boyd, Barnes, Laughey, Collins, Wright, Reese, Forman, Baker, Richardson — 11

Nays — Mr Bolton — 1

The President was excused from voting

The bill, as amended, was then returned to the First Branch

On motion of Mr Laughey, the branch adjourned until tomorrow afternoon at half past 3 o'clock

By order

A. H. Pennington, Clerk

Wednesday April 2, 1845

The branch met pursuant to adjournment

Present — Robert Howard esq President and all the members

The following communication was received

To the President of the

Second Branch of the City Council of Baltimore

By a resolution passed by the Second Branch of the City Council of Baltimore, March 27, 1845, my opinion is asked "whether the corporation of Baltimore has any legal authority to close up any regular constructed street, lane or alley, and in so doing, whether the corporation is not liable for any damages that may accrue to any owner of property upon any highway so closed up

By the act of the General Assembly of Maryland passed March 23, 1839, the power is delegated to the Mayor and City Council of Baltimore, "to provide for laying out, opening, straightening, continuing, widening or