closing up any street, lane, square or alley, within the bounds of said city, which in their opinion the public welfare or convenience may require" In the exercise of the authority thus conferred, it is incumbent upon the Mayor and City Council, to observe strictly the various provisions contained in that act, intended to qualify the power designed to be given. In respect, therefore, to the question of damages which may arise upon the closing up of any street, the mode of proceeding is fixed by that act, and any ordinance which may now be passed, or which has been enacted subsequent to the passage of said act, is only obligatory, so far as it is in conformity with its provisions. If the Mayor and City Council act within the scope of the authority delegated by the State, no action of damage could be sustained against the corporation, but particular care should be observed in the passage of any ordinance in relation to the closing up of any street, lane, or alley, that the power conferred upon the commissioners appointed for that purpose should be in accordance with the provisions of the act of the General Assembly of Maryland, passed March 23, 1839. Any ordinance which may have been passed, as was the case in relation to this subject, by the City Council, and approved by the Mayor on the 9th of March 1841, which conforms to the provisions of the act of Assembly above referred to, will be regarded as binding upon all parties, but the standard, by which the rights of all interested are to be measured, is the act of the General Assembly alone ~~referred to~~ mentioned, as far as it goes. Whenever the corporation of Baltimore, assumes a power not granted, and passes an ordinance requiring an act to be done by her agents, she will be liable for damages as any other principal, but if the provisions of the act of 1839 are adhered to, there can be no responsibility placed upon her.

Very respectfully,
B. C. Pratman
Counsellor for City of Baltimore.

The communication was read

A report and resolution from the joint committee on streets relative to the bed of an alley between Baltimore and Pelling street was received from the First Branch, read a first, and by special

order the second time, concurred in, and returned to the First Branch.

On motion of Mr Reese, the resolution relative to an office for the clerk of the Hanover market, was read the second time, concurred in, and sent to the First Branch.

The following communication was received from the trustees of the poor of Baltimore City and County.

Alms House, Baltimore City and County, April 2. 1845

To the Mayor and City Council of Baltimore.

The trustees for the poor of Baltimore city county, respectfully represent that they have perceived that a bill has been reported by the joint committee of ways and means, for the support of the city poor, predicated upon the recommendation of the late board of trustees, that an appropriation of eighteen thousand dollars ($18.000) be made, a sum equal to that reported to have been expended during the past year, and which they presumed would cover the expenses of this year. The trustees would state that, whilst the indebtedness of the alms house for the year 1843, for the payment of which our predecessors in office had to make provision, amounted to ten hundred and ninety five dollars (1095) the present indebtedness of the institution, which we find already incurred on our entrance upon the discharge of our duties, amounts to a sum exceeding three thousand dollars ($3.000) and for the payment of which we find but (12) twelve dollars and some cents in the treasury. Not having discovered any reduction in the number of paupers, nor any change of management, that would justify the belief that the expenses of the institution can be materially diminished, and entertaining thus far the opinion that an amount fully equal to what experience has heretofore found necessary, will be required for the support of the house, we respectfully recommend such provision being made for raising an amount exceeding the appropriation recommended, as will not only afford the same means as heretofore for conducting the affairs of the institution, but also discharge its present large indebtedness.

Signed A. W. Baxley, President
On behalf of the board

The communication was read, and on motion of Mr Collins referred to the joint committee on ways and means.