the city counsellor be requested to inform this branch, wether or not the Mayor and City Council have power to pass an ordinance providing for the election of water commissioners and other officers, by the people.

On motion of Mr Beale, the branch adjourned until to morrow afternoon at 4½ O'clock.

By order,

Allen E. Forrester, Clerk.

The following was this day presented to the Mayor:

Resolution for having stepping stones placed at the corner of Wolf and Bank street.

Thursday December 21st 1854.

The branch met pursuant to adjournment.

Present James Armitage, Esq, President, and all the members.

The branch was opend with prayer by Mr Thomas.

Mr Beale offered the following resolution, which was read and adopted;

Resolved, by the Second Branch of the City Council, that the Register be requested to state to this branch the amount of monies received for the service of the Public schools, during the current year, designating the collectors returns to him on the 1st of 1854, and the arrearages of previous years; and also what amount has been paid by him for the same service, during the same period and to what amount the balance, if any, is specially appropriated, — said information to be included in his reply to the resolution of this branch, passed on the 18th inst.

The resolution granting Levin Jones, permission to erect a pier in front of his premises on Light street Wharf, was taken up, and non-concurred in.

The report from the joint standing committe on highways, adverse to repairing that portion of Eastern avenue lying between Washington and Chester streets, as also that portion of Castle alley between Eastern and Canton avenues, was taken up, read and concurred in.

A report from the joint standing committe on water, authorizing the city commissioners to advertise for proposals to repair the ice house adjoining the Chase reservoir, and appropriating $1,075 for that purpose, was received



from the First Branch and read.

Mr Bartlett moved to amend the resolution by adding the words "or so much thereof as may be necessary, to be paid for out of monies collected from water rents."

The amendment was adopted.

The resolution, as amended, was concurred in.

The President laid before the branch, the following communication from the city counsellor, which was read:

Baltimore December 21st 1854.

To the President of the Second Branch of the City Council:

Sir:

I have received the following resolution, which passed the Second Branch of the Council on the 20th inst.

"Resolved, by the Second Branch of the City Council, that the City counsellor be requested to inform this branch, wether or not the Mayor and City Council have power to pass an ordinance providing for the election of water commissioners and other officers by the people".

The mode of appointment of municipal officers is regulated by the act of 1823, chapter 145, section 2, wherein it is enacted that the Mayor shall nominate, and by and with the advice and consent of the two branches of the City Council, shall appoint all officers under the corporation, except the Register and the clerks employed by the city or under their authority.

This mode of appointment of appointment is not changed or qualified by subsequent legislation, except so far as is authorized by the provision of the Act of general assembly of Maryland passed March, 1823, chapter 114, wherein it is enacted that the Mayor and City Council of Baltimore, may pass ordinances regulating the manner of appointing persons to office, under said corporation, which they are now, or may hearafter be authorized by law, to appoint."

These two acts are to be considered jointly, in giving an opinion upon the questions submitted, and as the mode of appointment is defined in the act of 1823, to be vested in the Mayor and City Council of Baltimore, I do not think there is any thing in the act of 1823, above referred to, to authorize a change in the mode of appointment of municipal officers to the extent of delegating that power to the people, Any change to that extent and character, could alone be authorized