No. 5.

AN ORDINANCE relating to cleaning the public streets and alleys in the city of Baltimore, by contract.

Relative to cleaning streets by contract.

SECTION 1. *Be it enacted and ordained by the Mayor and City Council of Baltimore*, That the city commissioners, by and with the approbation of the Mayor of the city of Baltimore, be and they are hereby authorised to contract for cleaning and keeping effectually in good order, and free from nuisance, the public streets and alleys in the six districts into which the city of Baltimore has heretofore been divided, for the year commencing on the first day of March, 1844, and ending on the first day of March, 1845, upon the following terms, viz: The cost of the first district not to exceed $975; the cost of the second district not to exceed $960; the cost of the third district not to exceed $1000; the cost of the fourth district not to exceed $1000; the cost of the fifth district not to exceed $1000; the cost of the sixth district not to exceed $750. Each contractor to be required to give a bond in a penalty of amount equivalent to the contract, with security to be approved by the city commissioners, conditioned for keeping in good order and free from nuisance, and effectually clean, the public streets and alleys in the district in the said city, for which he may contract, for one year, beginning on the first day of March, 1844, and terminating on the first day of March, 1845; and that he will comply with all the directions of the city commissioners, and such other officer or officers of the city of Baltimore, as may from time to time be directed by the said city commissioners, or the Mayor of the city of Baltimore, to superintend the said cleaning and keeping in order the said public streets and alleys within the limits of said district, which limits shall be clearly expressed in the said bond; and further conditioned to gather and remove the street dirt and manure as speedily as the city commissioners or other officer or officers of the city of Baltimore, having the superintendance as aforesaid may direct, which said dirt or manure is to belong to such contractor. And further conditioned, that in case any such contractor shall fail to comply with any of the conditions of the said bond, and to keep the said streets and alleys clean and in good order, he shall forfeit such contract and all right to claim any compensation for what work he may previously to that time have performed, and shall also be responsible for any damages thereby sustained by the city of Baltimore.

Compensation to contractors, and their duties prescribed

SEC. 2. *And be it enacted and ordained*, That nothing hereinbefore contained shall be construed to require any contractor to clean or remove any snow or ice to be found in any of the said public streets and alleys; but that the same shall be removed as heretofore at the expense of the city of Baltimore, under the direction of the fourteen police officers and city bailiffs of the city of Baltimore.

SEC. 3. *And be it enacted and ordained*, That the said contractors for cleaning the said streets and alleys shall be paid as follows: The one-twelfth part of the sum agreed upon by such contractor shall be paid to such contractor on the first Monday of each month, commencing with the first Monday of April, and continue such payments on each first Monday of the month thereafter until the expiration of the year, such payments to be made by the Register of the city of Baltimore by an order to that effect from the city commissioners.

City Commissioners to make contracts.

SEC. 4. *And be it enacted and ordained*, That the said city commissioners be, and they are hereby directed to make contracts in relation to the said streets and alleys, with the following persons, and for the following districts, viz: First district, H. and P. Woods; second district, Casper Weaver; third district Michael Burges; fourth district, John Allen; fifth district, Benjamin Brown; sixth district, John F. Burns: *provided*, that the said persons comply in all respects with the conditions of this ordinance. And that the said city commissioners with the approbation of the Mayor, shall have full power and authority in case any of said persons shall when called upon, fail or refuse so to comply with the conditions of this ordinance, to make such contract or contracts, as they are hereby authorised to do, with such other person or persons as may be willing so to contract.

Duties of city Commissioners & contractors.

SEC. 5. *And be it enacted and ordained*, That the city commissioners by and with the approbation of the Mayor of the city of Baltimore be, and they are hereby authorised, in case any of the said contracts, which may be entered into, are not complied with, and for that reason become forfeited, to make such other, and as many contracts as they may deem proper; to continue until the first day of March, 1845, upon the same terms and conditions as are heretofore set forth, and to renew the same as often as may be necessary—*provided* that the expenditures for the year, for any one district, shall not exceed the sum mentioned in the first section of this ordinance.

SEC. 6. *And be it enacted and ordained*, That in case the said contracts, or any of them, become forfeited from a failure to keep the said streets and alleys clean and in good order, that the said city commissioners by, and with the approbation of the Mayor, shall have full power and authority to employ as many hands and laborers as may be necessary to keep the said streets and alleys clean and in good order, and to employ with each gang of hands a foreman, who shall superintend the work, and who shall receive as compensation for doing so the sum of twenty-five cents per day over and above that paid to the other hands; and that the city commissioners shall have