the tax being a lien upon such property except where there is no personal property, calls for amended legislation on that subject also. In the particular case the claim was sustained but on the express ground that there was no personal property out of which the tax could have been made. These defects in the laws ought to be remedied for the sake of the tax payer, as the Collector must be rigorous in exacting the tax, where he risks loosing his remedies by delay.

The case against Doct. White, in regard to walling in the falls was decided against the city, on the ground that the clause in the charter under which the city proceeded, is unconstitutional. The question has been taken up to the Court of Appeals. The County Court has decided that the School Commissioners had the power to bind the city in the matter of the contract with Mr. Gilmor, and have decreed that the city are bound to take the lot on Gay street. This construction of the powers of the Commissioners shows that the city has been very much in their power, and might have been deeply involved by them. The case of Lester against the city, has not been tried. I put in the plea of the statute of limitations in that case; the plea is I think a flat bar to the claim. It remains for the councils to determine whether it shall remain or be stricken out and the case tried upon other questions in the case. I understand an application to this effect will be made. Joseph Robinson, has warranted the city to recover a bill of printing blank licenses and bench warrants, and various matters, which it is the business of the clerk of the City Court to pay for, in my judgment. The magistrate decided the case in favour of the city. An appeal has been taken, and the case is now pending before Baltimore County Court.

The case of Chases heirs against the city, has been decided finally in favour of the city. The cases against Henry White, Doct. White and W. G. Harrison, are still before the Court of Appeals.

In the City Court.—No decision of any consequence has been made. A suit against John D. Early, for shipping lard without inspection, has been determined in favour of the city; the question was whether the exportation forbidden in the law, was an exportation to a foreign port or to any port outside the harbour of Baltimore. The Court determined that it meant any taking of lard or butter away from Baltimore by water, unless the policy of the city is different in reference to the inspection of butter and lard from that of beef, &c., this was not the design of the ordinance, as the language in reference to the exportation of beef, &c. is explicitly confined to a carrying to a foreign port. I have brought suit against Hugh Dowling, for burning lime of oyster shells within the city, but have not been able to have the question tried. Within a day or two I have sued Capt. Philips and a pilot for violating the quarantine laws, in bringing a vessel to the wharves of the city, on board of which there had been small pox during the voyage. I know of no important decisions affecting the interests of the city or touching the construction of its powers or ordinances, except such as I have stated. It has become very much a habit to form clubs for the purposes of playing at ten-pins and to appropriate an alley to a particular club; the owners of the alleys



thus appropriated, deny that these alleys are exhibited for public amusement, but say that they are for the private amusement of select gentlemen and refuse to pay the license. This is evidently an evasion of the license system, and I think a false construction of the law. The Register ordered a warrant to try the question and it was decided by the magistrate against the city. As the Council were about to meet, I have thought it easier to amend the law by a new ordinance than to amend the decision by appeal and have acquiesed in the non-suit. The ordinance had better be made to embrace the case expressly and all cases of the sort.

W. L. MARSHALL,
*Counsellor for the City of Baltimore.*