

ered, to improve Jones' falls, within the limits of the city, in such manner as to prevent the overflowing of its banks, and to render it navigable or boatable as far as practicable, and otherwise to make it more useful and ornamental to the city; and for that purpose they are hereby invested with the right and title to the soil over which the said falls now flows or may be directed to flow (for the use and benefit, however, of the public) and if its bed should be changed or diverted in any part, the old bed so left dry, may be disposed of by the said corporation, and the proceeds applied towards effecting the proposed improvement; *Provided*, that no private right of property in the bed of said falls shall be affected by any thing herein contained; nor shall the said mayor and city council have a right to change the present bed of the falls, without the consent of the person or persons through whose land or property it may be hereafter directed to flow, nor to widen Liffy street on its west side, without the consent of the proprietors of the ground fronting thereon.

Bed vested
in the city.

Private
rights saved

Corpora-
tion may
purchase
property.

SEC. 10. *And be it enacted*, That if it shall be found necessary or advisable for accomplishing the intended improvement of the said falls, and for opening streets or constructing wharves on its banks, to purchase the property of individuals, the said corporation are hereby authorized to purchase such property; and if the proprietor of any such property is under any legal disability to contract for a sale, or is unwilling to make such sale, or the corporation cannot agree on the terms offered therefor, in either case the judges of the sixth judicial district, or any two of them on the application of the corporation, shall appoint three disinterested persons to value property so required, who shall return, on oath, their award of its value to Baltimore county court, which award shall be confirmed by the said court, unless cause to the contrary be shown, in which case the said court shall, at the first term thereafter, decide finally thereon; and such awards shall be recorded by the clerk of the said court; and upon payment, or tendering in payment of the sum of money awarded, such property shall be vested in the mayor and city council of Baltimore, in fee simple, for the purposes aforesaid.

Tolls.

Wharfages.

Proviso.

SEC. 11. *And be it enacted*, That should the mayor and city council succeed in whole or in part, in rendering Jones' falls navigable or boatable, by deepening its bed, or constructing a lock or locks across it, or otherwise, they are authorized to impose and collect tolls and wharfages upon vessels or boats navigating the same, or lying at the public wharves opened or constructed on the banks thereof; *Provided*, that the right to wharfrage on Liffy street shall not accrue to the said mayor and city council, until they shall have engaged to wharf and fill up