

CHAP. 218.

To contract for parcels of ground to be laid out for public purposes

2. AND BE IT ENACTED, That the said commissioners^(a) be and they are empowered to contract for and lay out such and so many parcels of ground within said limits as they shall judge convenient and necessary to be used for any public purpose, provided the same can be had at such price as the said commissioners shall think just and reasonable; and the price of such parcels of ground shall be assessed by the levy court of said county, upon the western precincts, if situated therein, and on the eastern precincts if therein, and on the city by the mayor and city council, if within its limits, and collected and paid as other public assessments, and when paid for, the said parcels of ground shall be vested in the mayor and city council of Baltimore, if within the city, and if in the precincts they shall be vested in the commissioners of the precincts in which they may be, and be held for public purposes.

^(a) By 1817, ch. 148, other commissioners are vested with the powers to be exercised by those herein named, and different regulations prescribed.

Vacancies. Expenses, how to be paid

3. AND BE IT ENACTED, That in case of the death, refusal to a removal out of the county, or resignation, of any of said commissioners, or surveyor, those remaining, or a majority of them, shall by appointment fill the vacancy so occasioned; and a majority of the whole number shall be competent to exercise the powers of the board; and the amount of the expenses which shall be incurred by said commissioners in the execution of this act, shall be by them divided between the city and both the precincts, in such proportions as shall be thought fair and reasonable, and in those proportions shall be assessed and levied, the city's proportion by the corporation, and the residue by the levy court of the county on the assessable property within said precincts respectively, and shall be collected as other public assessments, and paid to the said commissioners or their order.

On petition of owners of lots a street may be opened and paved

4. AND BE IT ENACTED, That on application to the mayor and city council of Baltimore, or to the commissioners of the eastern or western precincts, as the case may require, by petition in writing, signed by the owners of a majority of the lots of ground binding on any of the streets, squares, lanes or alleys, which shall be laid out as aforesaid, praying that such street, square, lane or alley, or extended part of a street, lane or alley, may be opened and graded, or opened, graded and paved, it shall be the duty of the said mayor and city council, and of the commissioners of the eastern and western precincts respectively, to proceed to open and grade, or to open, grade and pave, such street, square, lane or alley, or extend part of a street, lane or alley, agreeably to the prayer of such petition; and it shall not be lawful to proceed to open, grade or pave, any street, square, lane or alley, or extend part of a street, square, lane or alley, without such application shall be made as aforesaid; and the several proprietors of the ground over and through which any public streets, squares, lanes or alleys, may run or be extended, shall not be entitled to any damages for improvements thereon, unless such improvements shall have been made before the laying out, extending or locating, by said commissioners, of such streets, lanes or alleys.

See 1817, ch. 148.

Damages to be vacated in city

5. AND BE IT ENACTED, That before the said mayor and city council shall proceed to open any public square, street, lane or