

erty, rights and privileges, from waste or encroachments, and for promoting the great interests and ensuring the good government of the city, not repugnant to the rights of the citizen, nor inconsistent with the provisions of any act of the general assembly of this state, or the constitution thereof.

8. AND BE IT ENACTED, That all the powers, privileges, rights and property, vested in or granted to the commissioners of the western precincts, the commissioners of the eastern precincts of Baltimore, or their respective officers, the commissioners of the western precincts market, or the commissioners of the eastern precincts market, shall be and the same are hereby vested in the mayor and city council of Baltimore, as fully, and for the like purposes, as the same were possessed by the above named boards or officers respectively; and that the acts(a), entitled, "An act to appoint commissioners to grade and level the several streets, squares, lanes and alleys, in the precincts of Baltimore," and "An act to appoint commissioners to grade, level, pave and repair, the streets, squares, lanes and alleys, in that part of the eastern precincts of Baltimore therein described, and for other purposes," and the several supplements to those acts, be and the same are hereby repealed, except so far as relates to rights acquired under the said boards, and to suits now depending in which any of the said commissioners are parties, or there remain contracts unexecuted, or claims unliquidated, in which they are respectively interested, for the completion of which the mayor and city council shall provide.

Powers transferred to mayor and city council

(a) Nov. 1809, ch. 131, and 1811, ch. 138.

9. AND BE IT ENACTED, That the mayor and city council of Baltimore be and they are hereby authorised and empowered to improve Jones's 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 Liffey-street on its west side without the consent of the proprietors of the ground fronting thereon.

Jones's Falls may be improved

Proviso

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 authorised 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 per-

Corporation authorized to purchase property