

## CHAP. 194.

of the estate, whereof the late Colonel Howard aforesaid, died, seized, to wit: all that part of the said estate which lies to the north of Centre street, and East of Howard street, and all that part which lies to the South of Great Montgomery street and East of William street; the city commissioners of the city of Baltimore, with the approbation of the Mayor, shall be empowered to cause the same to be dug down or filled up in a substantial manner to its proper grade, and the cost of such grading shall be assessed upon the property fronting on the part of the street, lane or alley so graded, in the same manner as the cost of paving is assessed, and shall be a lien upon the several lots for the sums respectively assessed, and shall be recovered by the Mayor and City Council of Baltimore from the proprietors of the said property respectively, by the same remedies as the cost of paving is now recovered by them; *provided always*, that the part of such street, lane or alley so proposed to be graded shall have been previously condemned or opened to the public; and that all the land to be charged with the cost of such graduation or levelling be represented, in the application aforesaid, by the proprietors thereof or their authorised agents or by their guardians aforesaid, respectively, and that the proportional cost of grading the squares of intersection formed by the crossing of any street, lane or alley by another street, lane or alley, shall be paid by the Mayor and City Council of Baltimore as is now done in the case of paving; and the guardians aforesaid shall be respectively allowed, in their accounts with the estates of their said wards, for all sums of money with which those estates may be lawfully charged by the said Mayor and City Council, on account of such grading done on any such application as aforesaid, and which may be paid by said guardians.

Proviso.

Accounts allowed.

Authority as to Wharf, &amp;c.

Private contract authorised.

Sec. 3. *And be it enacted*, That if at any time hereafter during the minority of either of the said infants, it shall appear to either of the guardians aforesaid, that it would be advantageous to the estate of his or her ward, respectively, that any wharf or other lot, in the city of Baltimore, belonging to the said ward, should be filled up or dug down and secured at its proper grade, or that any portion of a street, lane, or alley, whereon the property of the said ward may be situate, should be dug down or filled up to its proper grade, and that the same can be done more advantageously for the ward by private contract, without the intervention of the city commissioners, then it shall be lawful for such guardian to state the circumstances, by petition, to