

Dec. Ses. 1817

Jones's Falls
may be im-
proved.

Proviso.

Corporation
authorised to
purchase pro-
perty.

When Falls
are rendered
navigable tolls
may be collect-
ed.

Proviso.

Comm'rs ap-
pointed to sur-
vey and lay off
streets, &c.

which they are respectively interested, for the completion of which the mayor and city council shall provide.

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.

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 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 shewn, 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.

11. *And be it enacted*, That should the mayor and city council succeed in whole or in part, in rendering Jones's Falls navigable or boatable, by deepening its bed, or constructing a lock or locks across it, or otherwise, they are authorised 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 wharfage on Liffey-street shall not accrue to the said mayor and city council, until they shall have engaged to wharf and fill up said street, and deepen said Falls, on the side thereof adjoining said street, if the said street be given up to the city.

12. *And be it enacted*, That John E. Howard, William Gibson, William Cooke, William M. Mechen, Henry Thompson, John Hillen, Joseph Townsend, Nathaniel Williams and John M. Henry, be and they are hereby appointed commissioners, who shall cause

to be surveyed more, all such and convenient and such duplicate plots with to the registers county court records of the such engine the expense ed, shall be

13. *And* are hereby parcels of ground and necessaries demanded to the city council the same at ground shall the purpose

14. *And* they are which in names, and name, to name, and corum shall shall be w missioners known.

15. *And* commissio vacancies the mayor city council much of Baltimore. of this act that wher have laid thereon h thereto, t sions of the

16. *And* proprietor may be in or straight council of such street to the loc but before ened, the who, or a injury w