

XLIII. AND BE IT ENACTED, That the said special commissioners, so chosen, may, and are hereby authorized, in case of resignation, disqualification, death or removal, of any member or members, to proceed to elect from the said town in his or their room, others, in the manner prescribed for the electors, to serve till the next election.

C H A P.
XVII
How vacancies
are to be filled.

XLIV. AND, whereas it is of importance that the several parts of the town should as nearly as possible be equally represented; therefore, **BE IT ENACTED,** That the electors have special care, in their election of the special commissioners, to make a choice answerable to this purpose, having a respect at the same time to integrity, industry and abilities.

Town to be e-
qually repre-
sented, &c.

XLV. AND BE IT ENACTED, That the special commissioners are hereby made a body corporate, by the name of Special Commissioners for Baltimore-town, with all the privileges of a corporate body, and to have one common seal and perpetual succession.

Commissioners
incorporated.

XLVI. AND BE IT ENACTED, That all fines and monies appropriated by former acts, or to be appropriated to the repair of said streets, be for ever hereafter collected by order of the special commissioners, and applied agreeable to the instruction of this act.

To apply fines,
&c.

XLVII. BE IT ENACTED, That if any person or persons shall hereafter make and set up, or shall cause to be made or set up, in any street of fifty feet wide or upwards, within the said town, any porch, cellar, door or step, which shall extend beyond the distance of four feet three inches in such streets, or a proportionate distance into any narrower street; and if any person or persons shall hereafter make and set up any bulk, jut-window, or incumbrance whatsoever, whereby the passage of any street, lane or alley, shall be obstructed; or shall so place, or cause to be placed, any spout or gutter, whereby the passage of any street shall be obstructed or incommoded; any person so offending, and being legally convicted thereof before any justice of the peace, shall, for every such offence, forfeit and pay the sum of thirty shillings, and shall forthwith remove or cause the said nuisance to be removed.

Porches, &c.
not to be made,
&c.

XLVIII. BE IT ENACTED, That the owner or owners of any house within the said town, having, at the publication hereof, any porch, cellar door or step, extending into any street, lane or alley, beyond the limitation aforesaid, or having fixed or fastened to such house any bulk, jut-window, or other incumbrance whatsoever, shall yearly and every year pay, to such person or persons as shall be appointed by the special commissioners to receive and collect the same, such sum or sums of money as the said special commissioners and the assessors of said town shall settle and assess, as a full compensation to the public, until such porch, cellar door or step, to him, her or them, respectively belonging, shall be reduced to the limits aforesaid, or till removed or taken away; and every owner or owners of any house or houses, whereunto any spout or gutter shall, at the time of publication hereof, be so fixed and placed, that the waters thereby discharged may incommodate persons passing the said streets, lanes or alleys, shall, and they are hereby required, forthwith to remove, or effectually to alter or amend the same; and the said special commissioners are hereby further authorized and empowered, to remove, or cause to be removed, all manner of obstruction to the passage through the said streets, lanes and alleys, which they shall find remaining in the same an unnecessary length of time.

If now made
to be paid for,
&c.

XLIX. AND BE IT ENACTED, That the special commissioners are hereby empowered to license all public exhibitions within said town, and to direct their treasurer to receive the money fixed on by the said special commissioners for such licences, and make out a licence under the common seal.

Exhibitions to
be licensed, &c.

See the note under the first section.

L. AND BE IT ENACTED, That should any person or persons, not authorized by this act, exhibit any show, play, or public entertainment, without a licence first obtained, he, she or they, shall forfeit a sum not exceeding twenty-five pounds, to be recovered as debts not exceeding five pounds.

Penalty on ex-
hibiting with-
out.

LI. AND BE IT ENACTED, That the special commissioners are hereby directed to enter upon the paving of the whole, or such parts of the streets, lanes and alleys, of said town, as soon as may be after the publication hereof, as appears to them essential to the growth and prosperity of the said town.

Streets to be
paved, &c.

LII. AND BE IT ENACTED, That the special commissioners are hereby empowered to continue all or as many of the specific taxes above mentioned, as may be judged least injurious to the welfare of

Taxes may be
continued.

of