

IX. AND BE IT ENACTED, That the corporation aforesaid, shall have full power and authority to enact and pass all laws and ordinances necessary to preserve the health of the city; prevent and remove nuisances; to prevent the introduction of contagious diseases within the city, and within three miles of the same; to establish night watches or patrols, and erect lamps; to provide for a general survey of the city and precincts; to ascertain, when necessary, the boundaries and location of streets, lots, lanes and alleys thereof; to establish new streets, lanes and alleys, with the consent of the proprietors of the ground, and to alter and to straighten streets, lanes and alleys, with the consent of the proprietors of the lots or houses adjoining such streets, lanes and alleys; to provide for the preservation of the navigation of the basin, and Patapisco river within the limits of the city of Baltimore, and four miles thereof; for cleaning and deepening the basin and docks, and for regulating the station, anchoring and mooring of vessels; but no tax, direct or indirect, shall be laid on that part of Baltimore called Deptford Hundred for the preservation of the navigation of the basin, or for cleaning or deepening the basin or docks therein; to provide for licensing and regulating auctions and pawnbrokers within the city and precincts thereof; to restrain or prohibit gaming, and to provide for licensing, regulating or restraining, theatrical or other public amusements within the city or precincts; to erect and repair bridges; to pave and keep in repair all necessary drains and sewers, and to pass all regulations necessary for the preservation of the same; to establish and regulate inspections within the city, subject to the future acts of the general assembly; to regulate and fix the affize of bread; to provide for the safe keeping and preservation of the standard of weights and measures fixed by congress, and for the regulating thereby all weights and measures used within the city and precincts; to regulate party walls and partition fences; to erect and regulate markets; to provide for licensing and regulating, (with the consent of the Maryland insurance fire company,) the sweeping of chimnies, and fixing the rates thereof, within the city and precincts, and for regulating the sweeping of any chimney, by the neglect of which the safety of the city may be endangered, and to ascertain the width of those to be built in the city; to establish and regulate fire wards and fire companies; to regulate and establish the size of bricks that are to be used in the houses to be built in the city; to erect and regulate pumps in the streets, lanes and alleys; to impose and appropriate fines, penalties and forfeitures, for the breach of their by-laws or ordinances; to lay and collect taxes, not exceeding two dollars in the hundred pounds in any one year, except as before is excepted; to enact by-laws for the prevention and extinguishment of fire; and to pass all ordinances necessary to give effect and operation to all the powers vested in the corporation of the city of Baltimore; provided, that the by-laws or ordinances of the said corporation shall be in no wise obligatory upon the persons of nonresidents of the said town, being citizens of this state, unless in cases of intentional violation of by-laws or ordinances previously promulgated; all the fines, penalties and forfeitures, imposed by the ordinances of the corporation of the city of Baltimore, if not exceeding twenty dollars, shall be recovered before a single magistrate, as small debts are by law recoverable, and if such fines, penalties and forfeitures, do exceed the sum of twenty dollars, then to be recovered by action of debt, in Baltimore county court, in the name of the corporation, and for the use of the city of Baltimore.

Several additional powers are given by 1797, ch. 54; and by 1797, ch. 75, the mayor, with any two justices of the peace, may arrest and imprison any French slave who is dangerous to the city, and send such slave to the West Indies, in the manner therein directed.

X. AND BE IT ENACTED, That the powers and authority vested in the town commissioners, special commissioners and port-wardens, heretofore appointed by law for Baltimore-town, except the authority of the town commissioners to hold elections agreeably to the constitution and form of government, (a) shall cease and determine as soon as this act shall be in force and operation; and the corporation of the city of Baltimore are hereby declared to possess, and may provide for the exercise of, all powers and authorities now vested in the said town commissioners, special commissioners and port-wardens, except the holding of elections for delegates to the general assembly, but no rights acquired under the acts of the aforesaid boards shall be annulled, impaired, avoided or restrained, by any act of the said corporation; and immediately upon the operation of this act, and organization of the corporation contemplated thereby, the records, papers, proceedings, monies, accounts, and all other matters and things appertaining to the said commissioners of Baltimore, special commissioners and port-wardens, shall be lodged and deposited with such person or persons as shall be appointed by the mayor and corporation of the city to receive the same; and all acts of the legislature of the state of Maryland, now in force, shall continue and remain in force, but the powers and authorities thereby delegated to the commissioners of Baltimore-town, special commissioners and port-wardens, or any

(a) This part of the constitution was altered by 1797, ch. 57. (confirmed by 1798, ch. 2.) which appointed other judges, and by 1798, ch. 111, judges were appointed for elections of representatives in congress, and of electors of the president and vice-president. By 1799, ch. 50, section 10, the judges of the elections for the first branch of the city are to be judges of the elections in which the town commissioners had been judges.

C. H. A. P.
LXVIII.
Corporation to
pass laws, &c.

Powers of the
commissioners
to cease, &c.