

REPORT.

The Committee appointed "to visit the city of Baltimore, for the purpose of examining the streets in the immediate vicinity of, and leading to the grounds attached to Mount Hope Hospital, in said city, and report whether the relief asked of the General Assembly of Maryland, by the Sisters of Charity of St. Joseph, at Mount Hope, in relation to the closing of certain streets therein mentioned, shall be granted; also to examine the Maryland Hospital, in Baltimore city, and report the condition thereof to this House"—beg leave to submit the following report:

Your Committee, having been furnished with plats of the streets mentioned in the petition of the Sisters of Charity, as located and laid down upon "Poppleton's Plat," of the city of Baltimore, visited the grounds of Mount Hope, made an examination of the premises, and heard the statements of the respective parties interested in the closing of said streets.

The first question to which your Committee have directed their attention is—whether the Legislature has the right to grant the relief asked by the Sisters of Charity? It appears, by an act of the General Assembly, passed at December session, 1838, chapter 226, sec. 1, that the Mayor and City Council of Baltimore were invested with power and authority to provide for *laying out, opening, extending, widening, straightening or closing up, in whole or in part, any street, square, lane or alley* within the bounds of said city, which, in their opinion, the *public welfare or convenience* may require, &c. Your Committee would *infer*, from the language of the petition of the Sisters of Charity, that, in their opinion, the relief asked of the Legislature, could not be granted unto them, according to the provisions of this Act of Assembly. Whether the Mayor and City Council of Baltimore have the power to grant such relief, or not, is a question which your Committee do not think themselves called upon to determine. But, we are to consider whether the Legislature, by the act of 1838, chapter 226, has divested itself of all power and control over the opening and closing of streets in the city of Baltimore? Your Committee think that it has not, and that the power granted to the Mayor and City Council of Baltimore, by this act, in relation to the opening and closing of streets, can, at any time, be assumed by the Legislature. Municipal corporations are, as a general principle, at all times under the control of the Legislature which created them, by whom they can be modified or destroyed at pleasure.