

C H A P.
XVII.Electors to
take an oath,
&c.

XLIII. And be it enacted, That the electors, immediately on their meeting, and before they proceed to the election of the aforesaid officers, take an oath, to elect, without favour or partiality, such persons for special commissioners, as they in their judgment and conscience believe best qualified for said office.

How vacan-
cies are to be
filled up.

XLIV. 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.

Town to be
equally repre-
sented, &c.

XLV. 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.

Commission-
ers a body
corporate, &c.

XLVI. 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.

To apply
fines, &c.

XLVII. 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.

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

XLVIII. 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; every 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.

If now made
to be paid for,
&c.

XLIX. 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;

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