CORRESPONDENCE.

File No. 455.

BOARD OF PARK COMMISSIONERS,
241 COURT HOUSE,
BALTIMORE, MD.

Baltimore, November 27th, 1903.

Mr. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

689 Will you kindly advise me whether or no, there is any law or ordinance that is applicable to the City of Baltimore, which would forbid the Park Board to employ a skilled person in the parks who is not a registered voter of Baltimore or a resident therein.

Very truly,
(Signed) Richard M. Venable,
President.

OPINION.

File No. 455.

LAW DEPARTMENT.

Baltimore, November 27,1903.

Major Richard M. Venable,
President of the Board of Park Commissioners.

Dear Sir:-

690 I am in receipt of your favor of the 27th inst. asking me whether "there is any law or ordinance that is applicable to the City of Baltimore which would forbid the Park Board from employing a skilled person in the parks who is not a registered voter or resident therein."

691 By Section 26 of the New City Charter it is provided that "all municipal officials, except females, shall be registered voters of the City of Baltimore." This section of the Charter was construed in the case of Baltimore City vs. Lyman, 92 Md., page 591, and there it was held that it was not necessary for the Superintendent of Public Instruction to be a registered voter, because he was not a municipal official within the meaning of this section.

692 "The Superintendent of Public Instruction," said the Court, page 612, "exercises no power except what is derived from and through this board (the Board of School Commissioners); he is simply then an employee or the agent of the School Board, and not a municipal official within the meaning of the Charter."

693 The case submitted to me falls directly, in my opinion, within the decision in this case, so far as the need of being a registered