OPINION.

File No. 458 Continued.

"Provided, That the right to use the streets, avenues, alleys, or other public property, by any person or body corporate for bow or bay windows, hitching posts, area-ways, steps, planting of trees, storm doors, drain and drain pipes, stands or other such temporary or similar uses, may be granted by the Board of Estimates for such an amount of money and upon such terms and conditions, as the said Board may consider right and proper."

And the proviso then goes on and declares that no ordinance or advertisement shall be necessary or made in such cases as are named in the proviso to this section.

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I am of the opinion, therefore, that the Board of Estimates has exclusive jurisdiction over minor privileges, and that the legislative powers of the Mayor and City Council of Baltimore do not include them or any of them.

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Truly yours,
(Signed) W. Cabell Bruce,
City Solicitor.

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CORRESPONDENCE.

File No. 460.

DEPARTMENT OF PUBLIC IMPROVEMENTS,
SUB-DEPARTMENT OF CITY ENGINEER.

Baltimore, November 27, 1903.

W. Cabell Bruce, Esq.,
City Solicitor.

Dear Sir:-

The Consolidated Gas Co., in laying their main on North Avenue, find that it will be very expensive, if not impracticable to lay said main in the driveway as is usual. They are now seeking to lay it on the footway in front of the City's truck house at the corner of McMechen street and North avenue. This footway is a very superior "Granolithic" footway, and one which we do not desire to be disturbed. Under the circumstances, would it be proper for us to permit the Gas

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