CORRESPONDENCE.

File No. 474 Continued.

This building, I understand, was formerly used as a butchering establishment, and hogs were kept on the premises. Mr. Dimmling informs me
716 that this has been discontinued for a period of at least six years, and that he does not now propose to use it as a slaughtering establishment, but that he is fixing it up for the purpose of selling it, with the special hope of selling it to a butcher. Can we legally endorse his application in the face of sections 89 and 90, of article 23, of the City Code of 1893?

Please return the enclosed with your answer.

Yours respectfully,

(Signed) James Bosley, M. D.

Commissioner of Health.

OPINION.

File No. 474.

LAW DEPARTMENT.

Baltimore, December 4, 1903.

Hon. W. Cabell Bruce,

City Solicitor.

Dear Sir:-

As requested by your favor of December 3d, I send you here-
717 with my report upon the question submitted in Dr. Bosley's letter to you of December 2d, in which he asks whether the Health Department shall endorse the enclosed application for a permit to erect a building to be used as a hog pen and storage room.

Article 23, Section 89, of the City Code prohibits the erec-
718 tion of any slaughter-house within the City limits. Section 90 makes it unlawful to keep hogs on any premises within the City, except that they may be brought to the City for the purpose of sale or slaughter; but this exception does not authorize any resident butchers or porkers to keep hogs about their premises for any purpose other than for slaughter, and for this purpose not longer than ten days.

By Section 93, it is provided that no person shall keep hogs
719 upon his premises without having first obtained the permit under Sections 91 and 92. These last mentioned Sections authorize the Health Commissioner to issue a permit to any victualler, who is a resident of Balti-