File No. 1305 Continued.

OPINION.

LAW DEPARTMENT.

Baltimore, June 27, 1904.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

1636

I am in receipt of your letter and the enclosure from the Collector of Water Rents and Licenses asking whether a substitute facsimile woodcut of the seal of the City, instead of the actual impression of the seal, may be placed on each license.

I am of opinion that the substitute cannot be used, and that the impression from the seal itself must be put on each license.

Section 59 of the Charter provides for the appointment of a Collector of Water Rents and Licenses, and charges him with the duty of collecting all license fees, and, by implication, gives him the power to do all things necessary to discharge that duty; as the issuing of the license is a condition precedent to the collection of the fee, he must, therefore, have the right to issue the license.

Before the adoption of the new Charter, the City Comptroller issued licenses of this character (Baltimore City Code 1893, Article 8, Section 29), and it was his duty to sign and to have affixed the seal of the City to each. This power is now transferred to the Collector of Water Rents and Licenses, and the provisions of the Ordinance (Art. 8, Sec. 29) should be complied with, except as to the official who is to issue the licenses; this Ordinance requires the seal to be affixed, and the Collector of Water Rents and Licenses should have affixed the seal of the City to each license.

Very truly,

(Signed) Sylvan H. Lauchheimer,
Assistant City Selicitor.

1637