File No. 2630 Continues.

OPINION.

LAW DEPARTMENT.

Baltimore, March 6, 1905.

Hon. W. Cabell Bruce,
City Solicitor.
Dear Sir:-

2330

I am in receipt of your letter of March 1st, and the enclosures from the Water Engineer, in reference to the instructions of the Ordinance of the Mayor and City Council of Baltimore, approved July 5, 1904, with regard to water rates.

2331

The scheme of the Ordinance seems to be to provide a flat rate for dwelling houses; to fix a rate for stables, giving the Water Board the option of measuring by a meter; to provide rates for institutions of a charitable or benevolent character; and to leave it to the discretion of the Water Board to fix rates or to insert meters in places where there is an extraordinary use of water, the condition being that any such rate prescribed be uniform as applied to any one class.

2332

The answer to Mr. Quick's question should be as follows:

- 1. The Department has no authority to grant Mr. Peddicord's application.
- 2. It is not optional with the Department to grant or refuse such an application.
- 3. It is not optional with the Department to grant applications for meters for private residences which have no stables on the lot and where the water supply is used entirely for domestic purposes.

 Very truly,

(Signed) Sylvan Hayes Lauchheimer.

Assistant City Solicitor.