File No. 4856 Continued.

OPINION.

LAW DEPARTMENT.

Baltimore, October 11, 1906.

Hon. W. Cabell Bruce, City Solicitor.

Dear Sir:-

spring, you referred to me the enclosed Resolution of the First Branch, requesting the City Solicitor to inform that body "if there is any legal method by which the Consolidated Gas Company, which enjoys a complete monopoly of the gas supply of Baltimore, can be compelled to extend its gas mains on Belle Avenue and other public highways of Baltimore to supply the house owners residing thereon with gas, in the same manner as said company is supplying other parts of the City with

I was in the midst of preparing for the paving cases at the time this request for an opinion was referred, and unable to investigate the question before the adjournment of the City Council, which adjournment was had only a short time after the request was submitted. I journment was had only a short time after the request was submitted. I have, however, investigated the matter during the past summer.

Norwich City Gas Company, 30 Conn., 521), and an early case in New Jersey (Patterson Gaslight Company vs. Brady, 27 N.J.L., 245), which latter case has since been overruled, it is everywhere held that a Gas Company, being a public corporation and enjoying special franchises which are granted for the benefit of the public, must furnish gas to all individuals who make proper application and comply with the reasonable individuals who make proper application and comply with the reasonable rules and regulations of the company, and who are ready to pay reasonable rates therefor.

City vs. Indianapolis Gas Co., 146 Ind., 655;

Portland Nat. Gas & Oil Co. vs. State, 135 Ind., 54;
Owensbore Gaslight Co. vs. Hildebrand, 42 S.V.Rep., 351;

Williams vs. Mutual Gas Co., 52 Mich., 499;
Sheppard vs. Milwaukee Gaslight Co., 5 wis., 539;

Sheppard vs. Milwaukee Gaslight Co., 5 wis., 539;

People vs. Manhattan Gaslight Co., 147 N.Y., 136.

People vs. Manhattan Gaslight Co., 147 N.Y., 136.

Polle vs. Allegheny Heating Co., 5 Pa. Sup. Court, 21.

Olmstead vs. Morris Aqueduct, 47 N.J.L., 311;
Olmstead vs. Morris Aqueduct, 47 N.J.L., 310;
Olmstead vs. Morris

To the same effect is Gaslight -- pany ws. Colliday, 25 Md.,

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