

File No. 6663 Continued.

OPINION.

status of occupants of stalls in our markets.

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By Section 17 of Article 23 of the City Code, (Picler's Res. 1894) the Clerks of markets are authorized upon seating, or hiring any stall to give a certificate thereof, specifying the terms of the tenure, etc., and, in case the Comptroller approves the terms of the certificate, he is authorized by the same section to grant to the certificate holder a license for one year and no longer. The great bulk of the stalls in our markets are doubtlessly held under licenses of this sort, which, of course, need not be renewed should the City desire to abandon a

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market. But Section 114 of the same Article indicates that certain stalls in Lexington Market, Fell's Point Market, Belair Market, Hollins Market, Hanover Market, Richmond Market, Lafayette Market, Cross Street Market and Canton Market are held by a very different tenure, because that section confirms the sales of certain market stalls in those markets to the purchasers, "or their legal representatives, or assigns." The number of these sales, and the terms upon which they were made I have no means of knowing. The records of your office ought to show these particulars. Until I am placed in possession of them, it is impossible for me to say how far rights conferred by the sales would stand in the way of the objects proposed by the City.

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I might add in conclusion that, if a market site is abandoned by the City, the probability is that the land would revert to the former owners, or their heirs, as it is hardly likely that the City has a fee simple title to any of its market sites, though this would not be certainly determined except by an examination of the Land Records, which I am prepared to make, if and when asked to do so.

Truly yours,

(Signed) W. Cabell Bruce,
City Solicitor.

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