

File No. 7011 Continued.

OPINION.

6071 applied to in order to secure the right of extending private water pipes out on the docks, to be used by meter measurement.

Ordinarily, the Board of Estimates would be the proper body to apply to unless the privilege asked for is to be treated as a franchise, and not as a minor privilege, in which event, of course, an ordinance would be necessary. I think it extremely doubtful however, whether the Board of Estimates could grant such a right even on the theory that it is a minor privilege, in connection with Pier 3, inasmuch as the Merchants and Miners Transportation Company has been given exclusive use of said pier. As to all the other piers however, since certain streets will be called for by the ordinances granting pier space to the various applicants, the situation is, I think, different and the Board of Estimates would have the right to authorize the laying of private drains on those streets just as it has the right to grant similar applications in connection with other streets in the City.

Very truly yours,

(Signed) Edgar Allan Poe,

Deputy City Solicitor.

File No. 7911.

LAW DEPARTMENT.

Baltimore, April 23, 1908.

A. S. Goldsborough, Esq.,
Mayor's Secretary.

Dear Sir:-

6072 I reply to your communication of the 21st instant, No. 987, by saying that in my opinion, when the proposed franchises are granted in the new docks and piers they will be exclusive, and no water pipes of the City could be extended over them except with the assent of the grantees of the piers.

Truly yours,
(Signed) W. Cabell Bruce,
City Solicitor.