

File No. 7939 Continued.

OPINION.

LAW DEPARTMENT.

Baltimore, April 28, 1908.

Hon. W. Cabell Bruce,

City Solicitor.

Dear Sir:-

I have considered the contents of the letter from the President of the Belvedere Hotel Company to the Mayor in reference to prohibiting organ grinders from playing in front of the Hotel Belvedere.

6092

The same subject was brought to the attention of this Department on September 4, 1907, and referred to me on October 8. On October 10, I made a report thereon, which will be found in Envelope No. 6921.

After a careful consideration of the authorities, I came to the conclusion, that the use of street organs could not be prohibited, but might be regulated, and that in fact the Mayor and City Council of Baltimore had forbidden the use of street organs between 10.30 P. M. and 8 A. M. and that they might be still further regulated as to the time and manner of using the streets, such as the peace, good order and health of the public required. This opinion was concurred in by you, on October 10, and I know of no reason to alter it, at the present time.

6093

The present Ordinance might be amended, increasing the time during which the street-organs might not be used, from 8 P.M. to 9 A.M., instead of 10.30 P. M. to 8 A. M., as at present. This would be a reasonable regulation, but would fail to give the relief which the parties desire. I enclose an ordinance providing for the suggested change.

The suggestion of the State's Attorney might be modified and then followed. I enclose an ordinance embodying the views of Mr. Owens, as modified.

Very truly yours,

(Signed) Sylvan Hayes Lauchheimer,
Assistant City Solicitor.