

File No. 9753 Continued.

OPINION.

LAW DEPARTMENT.

Baltimore, April 7th, 1909.

Frank Brown, Esq.,
City Collector.

Dear Sir:-

7305

As requested by you, I herewith advise you in reference to your duties, under Section 14 of the Burnt District Commission Act. That Section provides that if the sum assessed upon the property specified shall not be paid within the time limited, the City Collector is directed to sell the property, or any part thereof, on which said assessment has been laid, giving thirty days' notice of the sale in two of the daily newspapers published in the City of Baltimore; the first insertion of said notice to be made within sixty days after the expiration of the time limited for the payment of the benefits.

7306

In my opinion, the provisions just quoted, in so far as they relate to the time of the first insertion of the notice, are directory, and not mandatory, and failure to strictly comply with said provisions would not affect the validity of any subsequent sale made to enforce the collection of the benefits assessed.

I call your attention to the fact that Mr. Bruce, when City Solicitor, under date of June 20th, 1907, rendered an opinion to the same effect as the one I am now giving you.

7307

Personally, I do not think it would be wise policy for you, at the present time, to attempt to enforce the collection of these benefits, by a sale of the property affected, and I believe better results would be accomplished, so far as the collecting of the benefits is concerned, by postponing drastic action until next fall.

Very truly yours,

(Signed) Edgar Allan Poe,
City Solicitor.

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