

File No. 10582 Continued.

OPINION.

LAW DEPARTMENT.

Baltimore, December 23rd, 1909.

Hon. Edgar Allan Poe,
City Solicitor.

Dear Sir:-

8324

As requested by your favor of October 18th, I have considered Dr. Besley's inquiry to you of October 16th. My delay in answering has been due to the fact that I have only just received the letter from Miss Elizabeth B. Butler, referred to in Dr. Besley's communication.

Sections 505 and 506 of the Charter provide, as follows:-

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505. "Every employer of females in any mercantile or manufacturing establishment in the City of Baltimore must provide and maintain suitable seats for the use of such employes. A person is deemed not to maintain suitable seats for the use of female employes unless he permits the use thereof by such employes to such extent as may be reasonable for the preservation of health and proper rest; and the question of what is thus reasonable is one for determination by the jury or the court acting as a jury in any prosecution hereunder".

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506. "Any violation of the preceding section by any employer shall be deemed a misdemeanor, and shall be punishable by a fine of One hundred and fifty dollars, to be collected as other fines are collected".

I understand from Dr. Jones that the point of the inquiry is whether the City can prescribe what use of the seats provided for is reasonable.