

File No. 11144. Continued.

CORRESPONDENCE.

been made of the farmers and others who have been removing refuse material from commission houses at the request of the commission men. These farmers and others were arrested under the general order that no one should be permitted to convey, through the streets of Baltimore, any garbage without a permit from the Commissioner of Health.

Does the word "garbage" include waste material from the commission houses or not? Waste material consists of cabbage and other green vegetables that have found no sale or have spoiled, and they are the same as would be thrown out from a kitchen.

Yours respectfully,

(Signed) James Bosley, M.D.

Commissioner of Health.

File No. 11144.

OPINION.

LAW DEPARTMENT.

Baltimore, April 4, 1910.

Hon. Edgar Allan Poe,  
City Solicitor.

Dear Sir:

I beg to reply to your communication of March 31, 1910, referring to me the letter of the Commissioner of Health of March 30, 1910, inquiring whether the Ordinance contained in the City Code, Art. 14, Sec. 108, includes refuse material from commission houses, such as cabbages and other green vegetables which have found no sale or have spoiled.

It seems that arrests have recently been made of farmers and others, who have been removing such refuse from commission houses, and the question has arisen as to whether the above Ordinance includes material of this sort.

It appears to me that this question can be answered in the affirmative without difficulty. The Ordinance reads as follows:

"No person except the employees of the City of Baltimore engaged in public work, or persons under contract with the City of Baltimore engaged in public work, shall convey any garbage, house offal or other refuse, animal or vegetable matter, through any street, etc."