

File No. 13404 Continued.

that this right and power should be assigned or delegated to a third person or a private corporation.

I am not certain that even if the City assented to an assignment of this kind that it would be a valid exercise of power under the Act of the Legislature. It is at least doubtful whether a power of this character given to a municipal government may be assigned to a private corporation unless it is expressly provided in the act granting the power.

At all events, the Baltimore County Commissioners could not delegate their authority without the express assent of the Sewerage Commission of the City of Baltimore.

Yours very truly,

(Signed) Alexander Preston,
Deputy City Solicitor.

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File No. 13866

Baltimore, December 29, 1911.

Hon. S. S. Field,
City Solicitor, City.

Dear Sir:

In reply to your inquiry as to the payment of license tax on the Park automobiles and motor cycles of the Park police, I beg to advise you as follows:

Section 140-T of the Automobile Law, passed in 1910, provides as follows:

"All motor vehicles used by the Police Department of any city, town, village, or county of this State, and all vehicles used by the Fire Department, Salvage Corps of any city, town, village, or county of this State; and all ambulances, road rollers, street sweepers, street sprinklers, or cleaners, or traction engines used for the hauling of agricultural machinery, are hereby exempt from the provision of this sub-title".

Inasmuch as the Section referred to does not exempt the automobile and motor cycles in use in Druid Hill Park, I think it will be necessary for the Park Superintendent to take out licenses for these vehicles. The law seems defective in that it exempts certain public vehicles, and not all.

Very truly yours,

(Signed) Alexander Preston,
Deputy City Solicitor.