

File No. 13715

Baltimore, February 23, 1912.

Hon. S. S. Field,  
City Solicitor,  
Court House,  
City.

Dear Sir:

I am in receipt of your favor of the 8th instant and pursuant to your request I have made an examination relative to the power of the Mayor and City Council of Baltimore to impose an annual license upon automobiles, or automobile owners, in a manner similar to that now in effect with respect to wagons and other vehicles.

The power to impose a license of this kind, if it exists, must be found amongst the powers conferred upon the City by its Charter. The only provision of the Charter which can in any way be said to confer this power is contained within that section entitled "Carriages" which confers upon the City the right.

"To license and regulate all carriages and other vehicles owned or used for the purpose of business or pleasure, and also all hackney coaches, carriages, carts, drays, omnibuses, wagons and other vehicles, kept for hire or hired in said city, and also to license and regulate the employment of all hackmen, draymen, wagoners, carters, porters and watermen, plying for hire within the limits, and to pass all necessary and proper regulations respecting the same; provided, however, that all revenue arising from said licenses shall be applied to the paving or repaving of the public highways of the City.\*\*\*\*\*"

This provision seems to have first found its way into the Charter of Baltimore City in 1880, and at that time automobiles and in fact, few other vehicles, propelled by other than animal power, were in existence, or even thought of, so at the threshold of this inquiry we are confronted with this question:- automobiles not having been known at the time of the enactment of this provision, can they be included, for licensing purposes, in the general term, "other vehicles" which follows those enumerated in the charter?

The rule which has been invoked by the Courts in the construction of words of this character is known as the "Ejusdem Generis Rule" and is very fairly set forth in volume 26 of the A. and E. Ency. 2nd