

File No. 19658

Baltimore, February 21, 1916.

Hon. S. S. Field,
City Solicitor.

Dear Sir:

12095

In reply to your letter of February 19th, I beg to advise you that this letter contains two separate inquiries, and I shall answer them in separate opinions.

The first inquiry is from the Commissioner of Health in reference to the filling with dirt, of certain cellars, in the course of building operations on Howard street.

The Commissioner is apprehensive that the filling of these cellars will result in the place becoming a harbor for rats. In this instance, I do not believe, under the law, as it now exists, that the Commissioner could interfere where there is a mere possibility that something may develop into a nuisance, and that under these circumstances the Commissioner of Health has no power to interfere.

Very truly yours,
(Signed) Alexander Preston,
Deputy City Solicitor.