

Pensioners, - Opinion of Counsel.
With respect to Chapters 391 and 471, - Acts 1910.

A communication, as follows, was received from Mr. Alonzo L. Miles, Counsel, read and ordered filed:-

"Baltimore, Md., July 7 h., 1910.

Mr. Josiah A. Kinsey, Secretary,

Board of Police Commissioners, CITY.

Dear Sir:-

I have your letter of the 1st. inst., submitting to me for interpretation Chapters 391 and 471 of the Acts of the General Assembly of Maryland of 1910, and stating that the Board desires my opinion as to its powers and duties in the premises.

I understand that the purpose of the inquiry is to determine whether or not the pensions of retired members of the Police Force who were retired prior to January 1, 1907, have been increased by the provisions of the two acts above mentioned. Inasmuch as some legal controversy may grow out of my interpretation of these two Acts, I shall quote at some length the law as it stood prior to the passage of the Acts of 1910 and the amendments contained in said latter Act.

Chapter 391 of the Acts of 1910, undertakes to repeal and re-enact with amendments Section 756 of the Code of Public Local Laws of Maryland, title, "Baltimore City", sub-title "Police", as repealed and reenacted by Chapter 81 of the Acts of 1902. Said section 756 of the Acts of 1902 provided that, "In addition to the sums of money now authorized by law to be paid out of the fund so as above constituted and designated, the said Board of Police Commissioners are empowered, whenever in their opinion the efficiency of service may require it, to retire any officer of police, policeman, detective, clerk or turnkey appointed by them and pay to him in monthly installments out of said fund for life a sum of money equal to one-half of the amount of money monthly paid to such officer of police, policeman, detective, clerk or turnkey, as provided by law; provided, however, he shall have served faithfully not less than sixteen years as such officer of police, policeman, detective, clerk or turnkey, or shall have been permanently disabled in