

File No. 7243 Continued.

OPINION.

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scribing notice for proceedings of this kind, with which the Commissioners for Opening Streets should have complied in these cases. We concluded some time ago, in considering questions which arose, under the decision in the Bennett case, that the above mentioned decision does not apply, except where the amount of notice is prescribed by statute.

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It appears to me, that the only other question to be considered, is whether or not the Commissioners for Opening Streets, acting as the Annex Improvement Commission, constitute one of the "Departments of the City Government," referred to in Article 1, Section 43 of the City Code. I do not think it can be doubted, that the Commissioners for Opening Streets, as such, must observe the requirements of the above mentioned provision of the City Code, and I am inclined to think, that acting as the Annex Improvement Commission, they perform such duties, in the conduct of the City Government, that they should be regarded as a Department of the City Government, within the meaning of the above mentioned Section of the Code.

Very truly yours,

(Signed) Joseph S. Goldsmith,
Assistant City Solicitor.

File No. 7243.

LAW DEPARTMENT.

Baltimore, January 15th, 1908.

James H. Smith, Esq.,
President, Commissioners for Opening Streets.

Dear Sir:-

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I reply to your letter of the 26th ult., with reference to the notice advertised by the Commissioners, in the matter of a number of streets paved out of the Annex Loan upon the petition of the owners of a front foot majority. I approve the conclusion reached by Mr. Goldsmith, Assistant City Solicitor, in a report to me dated the 14th instant, a copy of which I herewith enclose.

Truly yours,

(Signed) W. Cabell Bruce,
City Solicitor.