

File No. 7330 Continued.

OPINION.

the effect of it would be to have the Mayor and City Council of Baltimore nullify pro tanto, an Act of Assembly, as by remitting the fine, the Mayor does to that extent, over-rule an Act of Assembly and such a power cannot be conferred upon him by an Ordinance of the Mayor and City Council of Baltimore.

5515

I am therefore of opinion that the Ordinance covering the remission of fines relates only to fines which are imposed by municipal ordinance and that the Mayor has no authority to remit any fines imposed by an Act of Assembly, and hence is powerless to remit the fine imposed upon Mr. Wasserman by Justice White.

Very truly yours,  
(Signed) Sylvan Hayes Lauchheimer,  
Assistant City Solicitor.

File No. 7330.

LAW DEPARTMENT.

Baltimore, January 20, 1908.

A. S. Goldsborough, Esq.,  
Mayor's Secretary.

Dear Sir:-

5516

I reply to your letter of the 15th instant, No. 673, asking me whether the Mayor can remit an automobile fine, imposed upon Mr. Sidney Wasserman. My reasons for this conclusion will be found very well stated in a report to me on the subject, dated the 17th instant, from Mr. Lauchheimer, Assistant City Solicitor, a copy of which I herewith enclose.

Very truly yours,  
(Signed) W. Cabell Bruce,  
City Solicitor.

File No. 7332.

CORRESPONDENCE.

SEWERAGE COMMISSION  
OF THE CITY OF BALTIMORE  
AMERICAN BUILDING.

Baltimore, January 15, 1908.

W. Cabell Bruce, Esq.,  
City Solicitor.

Dear Sir:-

5517

I enclose herewith a letter addressed to the Sewerage Commission by the Treasurer of the Metropolitan Contracting Company of Boston, the contractors for the construction of sections 1 and 2 of the West Low Level Interceptor, in the system of sanitary sewers. You will observe that Mr. Ferrin requests payment at this time of \$25,000, which is part of the reserve withheld by the City, under the provisions of Section 59, page 22 of their contract. The total amount of the reserve held on January 1, 1908, on both