

File No. 25714 Continued.

As I understand it, the department surgeon believes that an operation will make both of these men physically fit to resume their work, and that on the other hand, unless an operation is performed one of them may be permanently disabled, while the other is in danger of loss of life.

This case appeals to me very much but there is no provision in the law which warrants your Board in paying the surgeon's fee for the operation upon these men or the hospital bill while undergoing the operation. Section 10 of Article 11 of the City Code, says:

"Any member of the Fire Department of the City of Baltimore, receiving injury or becoming disabled, while in the discharge of his duties, so as to prevent him from following his daily occupation or attending to his duties as a member of said department, such member shall, for the space of twelve months, provided his disability shall last that time, receive his usual salary."

This section seems to cover the matter which you brought to my attention.

Respectfully yours;  
(Signed) Roland R. Marchant,  
City Solicitor.

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