

File No. 25768

Baltimore, January 8, 1920.

Hon. William F. Broening,
Mayor,
City Hall, City.

Dear Mr. Mayor:

13482

Complying with your request I beg to advise that you will find the provisions with reference to the Topographical Survey embodied in Article 39 of the Code of 1906, the same being Ordinance #98, approved April 26th, 1893.

This Commission is composed of the Mayor, Comptroller and the City Register, who shall prescribe or approve the general method to be pursued in all work done under the provision of the article, both as to field work, maps and details required by the several departments, and they shall report from time to time to the Mayor and City Council as to the progress of the work. Section 4 provides that,-

"Said Board of Commissioners are hereby authorized to appoint an engineer of experience, reputation and ability with necessary assistants who shall have direct charge of the work and fix the compensation of said engineer and his assistants."

The Chief Engineer of the Topographical Survey is not the head of a department, sub-department, special commission or Board, within the meaning of Section 25 of the Charter, and consequently has not the right to appoint or remove persons employed in his department, which is given to such officers. The right to appoint the engineer of the Topographical Survey, as well as every man in the department, is with the Commissioners and no one else.

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

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