

File No. 46845 Continued

States and of the State of Maryland". They hold office for three years. They can only be removed after six months by the Mayor after charges have been preferred. By law they are charged with the duty of opening, widening, extending, etc., any street, lane or alley in Baltimore City whenever the same shall be so directed by ordinance. In performing this function, they assess damages and award benefits on abutting property subject to appeal to the Baltimore City Court and the Court of Appeals of Maryland.

In view of these duties, and the nature and extent of the power conferred by law upon the Commissioners for Opening Streets, I have no hesitancy in advising you that Mr. Curtis as a Commissioner for Opening Streets holds an office under the laws of this State within the meaning of the Constitution. Holding this view, and it being perfectly clear that members of the General Assembly are persons holding an office of profit and trust under the Constitution of this State, Mr. Curtis is prohibited by the Constitution from holding more than one of these offices.

Accordingly, I advise you that if Mr. Curtis accepts office as a member of the House of Delegates of Maryland, he vacates the office of Commissioner for Opening Streets.

Very truly yours,
(Signed) CHARLES C. WALLACE
City Solicitor

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