

R. E. Lee Marshall, Esq., City Solicitor (cont'd)

and prescribe the frequency thereof." Compensation of air-mail contractors is to be withheld when they continue to violate this statute or orders of the Commission.

The Air Commerce Act of 1926 is codified as 49 U.S.C.A., Sections 17 to 231. By this Act, the Secretary of Commerce is delegated the duty to "foster" air commerce and is given various regulatory powers. Various sections of this statute have been amended since its original enactment ten years ago, but nowhere is there any reference to the Interstate Commerce Commission.

It would seem, therefore, that the various air lines contemplating service to and from Baltimore would not come under the jurisdiction of the Interstate Commerce Commission, unless at least one of them was engaged in the transportation of air-mail.

Very truly yours,

(signed) CHARLES R. POSEY, JR.

Assistant City Solicitor

CRP, JR.*L

File No. 66644

January 26, 1937

R. E. Lee Marshall, Esq.
City Solicitor
Baltimore, Maryland

PROPOSAL OF BARRON G. COLLIER, INC. TO
HANG METAL ADVERTISING SIGNS ON STREET
LAMP POLES

Dear Mr. Marshall:

You have requested my opinion as to (1) whether the right sought by Barron G. Collier, Inc., should be granted by means of a franchise or a minor privilege and (2) what the City's liability would be in either case.

(1)

The authority of the Mayor and City Council of Baltimore to grant franchises is found in Section 8 of the Charter. Section 37 provides that such a grant must be made in the form of an ordinance. The following proviso relates to the granting of minor privileges: