

29th December 1926 Defendants Record made and sent to

1.
2. BOX 1308 46.
3. BOX 1308 12.

IN THE
BALTIMORE CITY COURT.

R. B. CONSTRUCTION COMPANY,
a Body Corporate,

vs. BOX 1308

HOWARD W. JACKSON,
Mayor of Baltimore City,

and BOX 1308

CHARLES H. OSBORNE,
Inspector of Buildings
for Baltimore City.

PETITION FOR MANDAMUS.

M. Clerk:-
Please file and etc.

W. K. W. [Signature]
Attorney for Petitioner.

Filed 7th October 1926.

LUCAS BROS., INC., BALTIMORE

*copy of the within Petition served on Charles
H. Wallace the City Solicitor for Howard W.
Jackson Mayor of Baltimore City and Charles H.
Osborne Inspector of Buildings of Baltimore City
on the 8th day of October 1926 in presence of
Adam S. Buck
John E. Peter
Sherrill*

Fee. \$0.50

No. 296

File No. 1 4 1

B. B. Const. Co.

vs.

Mayor + C.C.

In the

Balto. City Court

Mr. Clerk:

Service admitted in the above entitled case on behalf of the Mayor
and City Council of Baltimore.

Petition & Order of Court

C. C. Wallace City Solicitor.

Oct 8 1926

| | | |
|-----------------------------|---|----------------|
| R. B. CONSTRUCTION COMPANY, |) | IN THE |
| a Body Corporate, |) | |
| vs. |) | BALTIMORE CITY |
| HOWARD W. JACKSON, |) | COURT. |
| Mayor of Baltimore City, |) | |
| and |) | |
| CHARLES H. OSBORNE, |) | |
| Inspector of Buildings for |) | |
| Baltimore City. |) | |

Petition for Mandamus.

TO THE HONORABLE, THE JUDGE OF SAID COURT:-

The Petition of the R. B. Construction Company, a body corporate, respectfully shows unto your Honor.

FIRST: That the R. B. Construction Company, the petitioner, is a body corporate, duly incorporated under the laws of the State of Maryland, and as such owns, in fee simple, a certain lot of ground situated in Baltimore City on Granada Avenue between Belle Avenue and Barrington Road and having a frontage of 324 feet 4 3/4-inches on the east side of Granada Avenue with a depth of about 140 feet. The petitioner having acquired said lot of ground by deed from the Homewood Realty Corporation dated the seventeenth day of June, 1926, and duly recorded among the land records of Baltimore City in Liber S. C. L #4591, Folio 423 and etc.

SECOND: That your petitioner desires to erect upon said lot of ground and facing Granada Avenue, sixteen-two story brick dwellings in a continuous row having a front approximately of 20 feet each, and set back 45 feet from the building line of said avenue with back yards of approximately 60 feet in depth.

THIRD: That in addition to the lot of ground above described and owned, in fee simple, by your petitioner, it is also the owner of another lot of ground directly opposite on the west side of Granada Avenue, and having a frontage of 322 feet 2-inches, and the said sixteen two story brick dwellings sought to be erected will be directly opposite to the said lot of ground on the west side of said avenue, and which said lot of ground on the west side of said avenue is the second described in the deed hereinbefore referred to from the said Homewood Realty Corporation to the R. B. Construction Company, Incorporated, and which said original deed is filed herewith and marked "Petitioner's Exhibit #1".

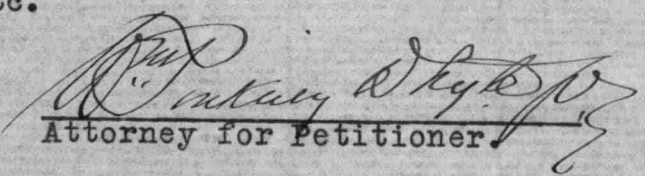
FOURTH: That your petitioner did apply for a permit for the erection of said sixteen two story brick dwellings to Charles H. Osborne, Inspector of Buildings of Baltimore City on the twentieth day of September, 1926, which said permit was granted by the said Charles H. Osborne, Inspector of Buildings of Baltimore City on September twenty-fourth, 1926, and which said permit was afterwards revoked on the twenty-seventh day of September, 1926.

FIFTH: Your petitioner respectfully represents that the erection of said buildings and the use of them as dwellings is not detrimental to the health, morals, or safety of the community in which said buildings are to be erected and used, and that therefore any attempt on the part of the Building Inspector or Municipal authorities of Baltimore City to prevent or restrict your petitioner in the building or use as dwellings of his said premises as above mentioned is arbitrary, unreasonable, and unlawful, and in violation of its constitutional rights under both the constitution of the State of Maryland as well as of the United States, and that all ordinances or amendments thereof of the Mayor and City Council of Baltimore City purporting or attempting to prevent your petitioner from the use of its said

said premises as above set forth are unconstitutional and void and are not within the police powers of the City of Baltimore.

SIXTH: Your petitioner therefore prays the Court that the Writ of Mandamus may be issued against the said Howard W. Jackson, Mayor of Baltimore, and Charles H. Osborne, Inspector of Buildings, directing them to issue to your petitioner a permit for the erection of the said sixteen two story brick dwellings on the said lot of ground on the east side of Granada Avenue as applied for.

And as in duty bound, etc.


Attorney for Petitioner.

STATE OF MARYLAND

City of BALTIMORE

I HEREBY CERTIFY on this ^{7th} day of ^{October} in the year 1926, before me, the subscriber, a Notary Public of the State of Maryland, and for the City aforesaid, personally appeared James B. Yeatman, the agent of the said petitioner, and made oath in due form of law that the matters and facts set forth in the foregoing petition are true to the best of his knowledge and belief.

Warren Warner
Notary Public.

3

ORDER OF COURT

Upon the foregoing petition and affidavit it is
this *7th* day of *October* in the year 1926 ordered
by the Baltimore City Court, that a Writ of Mandamus be issued
in this case as prayed, unless causes to the contrary be shown
on or before the *22nd* day of *October* in the year
1926, provided a copy of this order is served on Charles H.
Osborne, Building Inspector, and Howard W. Jackson, Mayor of
Baltimore City on or before *15th* day of *October* 1926.

Hurry *duffy*

H. 46,

12,

IN THE
BALTIMORE CITY COURT.

R. B. CONSTRUCTION COMPANY,
a Body Corporate,

vs.

HOWARD W. JACKSON,
Mayor of Baltimore City,

and

CHARLES H. OSBORNE,
Inspector of Buildings,
for Baltimore City.

"PETITIONER'S EXHIBIT # 1".

W. P. King
Attorney for Petitioner.

Filed 7th October 1926

DM (2) 60
TITLE GUARANTEE & TRUST COMPANY

309

D E E D

F R O M

HOMEWOOD REALTY CORPORATION

T O

THE R.B. CONSTRUCTION COMPANY
INCORPORATED

TI 5-7-26 15C

APP. NO. 61886

WRITTEN BY H.C.R.

APPROVED BY *R. B. Walling* EXAMINER

READY FOR RECORD

348

2710-2722

RECEIVED FOR RECORD
JUN 17 1926 AT 2 O'CLOCK,
M. SAME DAY RECORDED IN LIBER
& C. L. No 4591 FOLIO 423, &
ONE OF THE Lam RECORDS OF
BALTIMORE CITY AND EXAMINED.
PER
Stephen C Little CLERK

13

300

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THIS DEED made this 17th day of June, in the year one thousand nine hundred and twenty-six, by and between HOMEWOOD REALTY CORPORATION, a corporation of the State of Maryland, party of the first part, and THE R.B. CONSTRUCTION COMPANY, INCORPORATED a corporation of the State aforesaid, party of the second part.

WITNESSETH: That in consideration of the sum of Five Dollars, and other valuable considerations, this day paid, the receipt whereof is hereby acknowledged, the said party of the first part doth hereby grant and convey unto the said party of the second part, its successors and assigns, in fee simple, all those two lots of ground situate in Baltimore City, in the State of Maryland, and described as follows, that is to say :

BEGINNING for the first thereof on the east side of Granada Avenue, as now laid out fifty feet wide, at the distance of one hundred and thirty-seven feet northerly from the corner formed by the intersection of the north side of Barrington Road, formerly called Liberty Lawn Avenue, and the east side of Granada Avenue, laid out as aforesaid, which place of beginning is also at the north side of an alley twelve feet wide there laid out ; running thence northerly binding on the east side of Granada Avenue three hundred and twenty-four feet four and three-quarter inches to the northernmost outline of the lot of ground first described in a deed from Richard B. Tippett, committee, to Cleveland R. Bealmear, et al., dated April 25, 1924, and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 4184, folio 261 ; thence easterly along the said northernmost outline one hundred and fifty feet one and three-quarter inches to the easternmost outline of the said lot of ground first described in the above mentioned deed ; thence southerly along said easternmost outline three hundred and thirty-one feet

2710

one inch to the north side of an alley twelve feet wide there laid out, being the alley first mentioned in this description ; thence westerly binding on the north side of said alley, with the use thereof in common with the other property binding thereon, one hundred and fifty feet to the place of beginning.

B E I N G part of the lot of ground first described in a deed from Richard B. Tippet, committee, to Cleveland R. Bealmear, et al., hereinabove referred to.

2722
B E G I N N I N G for the second thereof on the west side of Granada Avenue, as now laid out fifty feet wide, at the distance of one hundred and thirty-seven feet northerly from the corner formed by the intersection of the north side of Barrington Road, formerly called Liberty Lawn Avenue, and the west side of Granada Avenue, which point of beginning is also at the north side of an alley twelve feet wide there laid out ; and running thence northerly binding on the west side of Granada Avenue, laid out as aforesaid, three hundred and twenty-two feet two inches to the northernmost outline of the lot of ground secondly described in a deed from Richard B. Tippet, committee, to Cleveland R. Bealmear, dated April 25, 1924, and recorded among the Land Records of Baltimore City in Liber S.C.L. No. 4184, folio 261 ; thence westerly along said northernmost outline two hundred and fifty feet two inches ; thence southerly parallel with the west side of Granada Avenue ^{three} ~~four~~ hundred and ^{eleven} ~~forty-eight~~ feet one-quarter of an inch to the north side of an alley twelve feet wide there laid out, being the twelve-foot alley in this description first mentioned, at a point thereon two hundred and fifty feet west from the westernmost side of Granada Avenue ; running thence easterly binding on the north side of said twelve foot alley, with the use thereof in common with others, two hundred and fifty feet to the place of beginning.

B E I N G part of the lot of ground secondly described in a deed from Richard B. Tippet, committee, to Cleveland R. Bealmear, et al., hereinabove referred to.

T O G E T H E R with the buildings and improvements thereupon ; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

T O H A V E A N D T O H O L D the said lots of ground and premises unto and to the use of the said THE R.B. CONSTRUCTION COMPANY, ^{INCORPORATED} its successors and assigns, in fee simple.

A N D the said party of the first part covenants that it will warrant specially the property hereby granted and conveyed, and that it will execute such further assurances of said land as may be requisite.

W I T N E S S the corporate seal of the said grantor, and the signature of its ^{vice} President hereto.

TEST :

HOMWOOD REALTY CORPORATION

Homer M. Respass

BY

Samuel R. Boyd
vice President

STATE OF MARYLAND, BALTIMORE CITY, SCT :

I HEREBY CERTIFY that on this 17th day of June, in the year one thousand nine hundred and twenty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared *Samuel R. Boyd* vice President of HOMWOOD REALTY CORPORATION, the within named grantor, and acknowledged the foregoing deed to be the act of said body corporate.

W I T N E S S my hand and notarial seal.

Homer M. Respass
Notary Public.

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12.
IN THE

BALTIMORE CITY COURT.

R. B. CONSTRUCTION COMPANY,
A Body Corporate,

-vs-

HOWARD W. JACKSON, Mayor of
Baltimore City, and

CHARLES H. OSBORNE, Inspector
of Buildings for Baltimore
City.

A N S W E R .

Mr. Clerk:-

Please file, etc.

Charles C. Wallace
City Solicitor - Attorney for
Defendants.

Filed 21st October 1926.

*Service of copy admitted this Friday of Oct 1926
W. Wallace
Attorney for Baltimore*

R. B. CONSTRUCTION COMPANY, :
A Body Corporate, :

-vs-

HOWARD W. JACKSON, Mayor of :
Baltimore City, and :

CHARLES H. OSBORNE, Inspector :
of Buildings for Baltimore :
City. :

IN THE

BALTIMORE CITY COURT.

-----:-----

TO THE HONORABLE, THE JUDGE OF THE BALTIMORE CITY COURT:-

The Answer of Howard W. Jackson, Mayor of Baltimore City, and Charles H. Osborne, Inspector of Buildings for Baltimore City, Defendants, to the petition filed in this cause praying the issuance of a writ of mandamus against them, respectfully shows:-

FIRST: That they admit the allegations of fact contained in the first paragraph of the petition to be true as therein stated.

SECOND: That they neither admit nor deny the allegations of fact contained in the second paragraph of the petition to be true as therein stated, but deny that any applications for construction upon the premises in question have been made to the municipal authorities except the applications, the terms of which are fully set out in Paragraph Fourth of this Answer.

THIRD: That they admit the allegations of fact contained in the third paragraph of the petition to be true as therein stated.

FOURTH: That heretofore, to wit - on the second day of July, 1926, the petitioner applied to the Zoning Commissioner of Baltimore City for a permit to erect sixteen two story, single family, brick dwellings in block construction upon the premises referred to in the first paragraph of the petition. It was proposed by the application that each of said sixteen houses should be forty feet deep, that two of said houses should each be twenty feet and one inch wide, and that fourteen of said houses should each be nineteen feet and seven inches wide. The said dwelling houses were to have no side yards whatever. That on said day and date the said application was disapproved and the permit requested was refused by the Zoning Commissioner. Thereupon, on the eighth day of July, 1926, the petitioner filed an appeal from said decision to the Board of Zoning Appeals. The plat filed by the petitioner with the Board of Zoning Appeals disclosed substantially the same plan except that the houses were to be forty-four feet deep and were to have open front porches eight feet in depth; front yards, including the said space reserved for porches, thirty-three feet in depth; and rear yards approximately sixty-seven feet in depth. The Board of Zoning Appeals, after hearing testimony, on the twenty-seventh day of July, likewise disapproved the application and affirmed the decision of the Zoning Commissioner. That thereafter, to wit - on the second day of August, 1926, the petitioner filed a petition in this Honorable Court, purporting to be an appeal to this Court from the decision of the Board of Zoning Appeals aforesaid, but this Honorable Court, on the seventeenth day of September, 1926, dismissed the said appeal for lack of jurisdiction because the said petition was defective, being in conformity with the provisions of Ordinance No. 522 of the Mayor and City Council of Baltimore, approved December 14th, 1925, and not in conformity with the pertinent ordinance in such cases made and provided, to wit -

Ordinance No. 922, approved May 19th, 1923. The defendants admit that after the decision aforesaid the petitioner again, to wit - on the twentieth day of September, 1926, filed a new application for said permit with the Zoning Commissioner, who thereupon, on the twenty-fourth day of September, 1926, issued to the petitioner, by mistake, building permit No. 4448. Upon realizing his mistake, and that said permit, in view of the decisions of the Board of Zoning Appeals and of this Honorable Court aforesaid, could not lawfully be issued, the said Zoning Commissioner, by registered letter addressed to the petitioner and dated September 25th, 1926, informed the petitioner that the said permit No. 4448 was null and void.

FIFTH: Answering the fifth paragraph of the petition, the defendants allege that the premises in question form a part of a suburban section of the city, hitherto improved with detached frame cottages, and are embraced in the area district "E" provided for by Ordinance No. 922 of the Mayor and City Council of Baltimore, approved May 19th, 1923. That the action of the Zoning Commissioner and of the Board of Zoning Appeals in refusing the permit, as aforesaid, was taken in legal compliance and obedience to said Ordinance No. 922 and amendments thereto, which distinctly prohibit the erection and construction here applied for, and that the issuance of the permit would, in particular, constitute a violation of Section 17(b) of said Ordinance as amended by Ordinance No. 435, approved July 1st, 1925, which provides as follows:

"In an "E" Area District there shall be reserved on each lot at least one side yard not less than ten feet wide, except in cases where, because of the size and/or shape of any lot or tract, such requirement cannot be complied with or would render such lot or tract unfit for use, and in such cases the Board of Zoning Appeals may reduce the requirement as it may deem reasonable and proper."

The defendants, therefore, deny that any attempt on the part of the Building Inspector or municipal authorities of Baltimore City to prevent or restrict the petitioner in the building of these houses is arbitrary, unreasonable and unlawful, but charge that said action is lawfully required of them and has been performed by them as part of their official duties by the ordinances referred to. That the defendants are advised that in so far as the issuance of said permit may, by virtue of said ordinance, be discretionary with the Board of Zoning Appeals, a writ of mandamus may not lawfully be issued to compel the exercise of that discretion. That the defendants are also advised and believe, and therefore charge that the restrictions in question imposed upon the plan of the petitioner by Ordinance No. 922 as amended, and the actions of the officials thereunder in the enforcement thereof, are restrictions reasonably adapted to the protection and enhancement of the health, morals and safety of the people of Baltimore, and that they have been validly ordained by the Mayor and City Council of Baltimore pursuant to its police power, and that they are, therefore, lawful and valid, and not in contravention of any constitutional provisions whatsoever contained either in the Constitution of the State of Maryland or in the Constitution of the United States. The defendants are advised that the constitutionality of the said regulations is to be determined by the reasonable relationship of the regulations to the protection of health, morals and safety generally and in ordinary and usual cases, and that the passage and enforcement of said regulations may and do constitute valid exercises of the police power, although there may be instances of particular and specific acts in contravention of the regulations which might not, of themselves, adversely affect health, morals and safety, and the prohibition of said acts work a hardship upon some individuals. Nevertheless, the defendants

further deny that in this particular case the erection of said buildings and their use as dwellings, in violation of the regulations prescribed by Ordinance No. 922 and amendments aforesaid, would not be detrimental to the health, morals or safety of the community, but on the contrary aver and charge that their said erection and use would appreciably add to and increase fire and traffic hazards in said community by substantially increasing the density of population there; would thereby overburden sewerage, transportation and other facilities proper for said community; would adversely affect health and living conditions by affording dwellings not properly lighted and ventilated; and in divers other ways would have a direct and adverse affect upon the health, morals and safety of the people.

WHEREFORE the defendants respectfully pray that they may be hence dismissed with their proper costs.

AND as in duty bound, etc.

Charles C. Wallace
City Solicitor -
Attorney for Defendants.

Harold Hobson
Mayor of Baltimore City

A. H. Osborne
Inspector of Buildings
for Baltimore City.

6/

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:-

I HEREBY CERTIFY That on this 21st day of October, 1926, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore aforesaid, personally appeared HOWARD W. JACKSON, Mayor of Baltimore City, and CHARLES H. OSBORNE, Inspector of Buildings for Baltimore City, Defendants, and made oath in due form of law that the matters and facts set forth in the foregoing Answer are true to the best of their knowledge, information and belief.

WITNESS my hand and Notarial Seal.

Walter E. Benckelt
Notary Public.

7. 46.
12.
In the
Baltimore City Court.

R. B. CONSTRUCTION COMPANY,
A BODY CORPORATE.

vs.

HOWARD W. JACKSON, MAYOR OF
BALTIMORE CITY, and

CHARLES H. OSBORNE, INSPEC-
TOR OF BUILDINGS FOR
BALTIMORE CITY.

DEMURRER

Mr. Clerk:-

Please file and etc.

Wm. H. White
Attorney for Plaintiff.

Service of copy admitted
this 3 day of November,
1926.

Charles Wallace
Attorney for Defendant.

Filed 3rd November 1926.

R. B. CONSTRUCTION COMPANY,
A BODY CORPORATE,
vs.
HOWARD W. JACKSON, MAYOR OF
BALTIMORE CITY, and
CHARLES H. OSBORNE, INSPECTOR
OF BUILDINGS FOR BALTIMORE CITY.

IN THE
BALTIMORE CITY COURT.

7.

The Plaintiff, The R. B. Construction Company, a body
corporate, demurs to the Answer of the Defendant, and says:-
That the same is bad in substance, and insufficient in law.

Wm. Pinkney Whately, Jr.
Attorney for Plaintiff.

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IN THE
BALTIMORE CITY COURT.

R. B. CONSTRUCTION CO.,
a Body Corporate,

vs.

HOWARD W. JACKSON,
Mayor of Baltimore City,

and

CHARLES H. OSBORNE,
Inspector of Buildings
for Baltimore City.

PETITION TO AMEND.

Mr. Clerk:-

Please file, etc.

Wm. W. White
Solicitor for Petitioner.
Wm.

11.17.1926

R. B. CONSTRUCTION COMPANY,)
a Body Corporate,)
vs.)
HOWARD W. JACKSON,)
Mayor of Baltimore City,)
and)
CHARLES H. OSBORNE,)
Inspector of Buildings for)
Baltimore City.)

IN THE
BALTIMORE CITY COURT.

8

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of the R. B. Construction Company, a body corporate, respectfully shows unto your Honor.

That it desires to amend its Petition for Mandamus heretofore filed in this Honorable Court by inserting at the end of the fourth paragraph of said Petition, and to be a part of said fourth paragraph the following as an amendment thereto:-

"That the plans and specifications set forth in said application were in full conformity with the provisions of the Building Code of Baltimore City ~~in regard to the manner in which said building was to be constructed,~~ and although said plans and specifications did so conform the said Charles H. Osborne refused to accept said application or grant said permit."

Wherefore your Petitioner prays that this Court may pass a proper order in the premises. And as in duty bound, etc.

Wm. McKay Whyte, Jr.
Solicitor for Petitioner.
Whyte

9
November

Upon the foregoing petition it is this 29th day of
1926 by the Baltimore City Court in the above entitled
matter, ORDERED, that the R. B. Construction Company, a body
corporate, be, and it is hereby granted leave to amend its
petition for mandamus as prayed.

Walter L. Dauphin
Judge.

I hereby assent to the passage of the foregoing Order.

Charles C. Wallace
Attorney for the Defendants.

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12.

IN THE
BALTIMORE CITY COURT.

R. B. CONSTRUCTION COMPANY,
a Body Corporate,

vs.

HOWARD W. JACKSON,
Mayor of Baltimore City,

and

CHARLES H. OSBORNE,
Inspector of Buildings for
Baltimore City.

ORDER FOR ENTRY OF JUDGMENT.

Filed 4th December 1926.

LUCAS BROS., INC., BALTIMORE

11. 46.
12.
IN THE
BALTIMORE CITY COURT.

R. B. CONSTRUCTION COMPANY,
a Body Corporate,

vs.

HOWARD W. JACKSON,
Mayor of Baltimore City,

and

CHARLES H. OSBORNE,
Inspector of Buildings for
Baltimore City.

ORDER FOR APPEAL.

Mr. Clerk:-

Please file, etc.

Paul Patrick White, Jr.
Attorney for Plaintiff.

Filed 6th December 1926.

46.

12

R. B. Construction Co.

to

Mayor of Belts
Co.

Wm Pinkney Whyte Jr

The R. B. Construction Company,
a body corporate.

46
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10.

Howard W. Jackson
Mayor of the City of
Baltimore, and

Charles H. Osborne,
Inspector of Buildings
for Baltimore City.

Charles C. Wallace

Inspector of Buildings
for Baltimore City.

7th October 1926 Petition
of the R. B. Construction
Company, a body corporate,
for a Writ of Mandamus
directed against Howard
W. Jackson, Mayor of
Baltimore City, and Charles
H. Osborne, Inspector of
Buildings for Baltimore City
directing them to issue to
your Petitioner a Per-
mit for the erection of
Sixteen - Two Story Brick
dwellings in a continuous
row facing Granada
Avenue having a front of

20 feet each, and set back 45 feet from the
building line of said Avenue with back yards
of approximately 60 feet in depth and Petitioners
Exhibit No 1. and Affidavit filed.

14th October 1926 Ordered by the Court that the
Writ of Mandamus be issued in this case as
prayed, unless cause to the contrary be shown on or
before the 22nd day of October 1926. Provided a copy
of this Order is served on Charles H. Osborne, Building
Inspector, and Howard W. Jackson, Mayor of Baltimore
City on or before the 15th day of October 1926.
Order of Court (Judge Saffy) filed.
Some day Copy of the Petition and Order of Court sent to the
Sheriff to be served on the Defendants.

46.
12.

No. 28

R. B. Construction Company,
v.
Howard W. Jackson, Mayor &
Inspector of Buildings.
JANUARY TERM, 1927.

1308.

MANDATE of the

Court of Appeals of Maryland
Affirming the Judgment with
Costs.

Filed 25th April 1927.



11.42

06.28

7.50

7.00

7.75

12.00

28.00

Vertical text on the right side of the page, including the words 'COURT OF APPEALS OF MARYLAND' and other faint, possibly mirrored or bleed-through text.

COURT OF APPEALS OF MARYLAND

JANUARY Term 1927.

The R. B. Construction Company,
a body corporate,

vs.

Howard W. Jackson, Mayor of
Baltimore City, and Charles H.
Osborne, Inspector of Buildings
for Baltimore City.

Appeal from the Baltimore City Court.

Filed December 30th, 1926.

1927 March 23rd. Judgment affirmed with costs.

Opinion filed.

Op. Urner, J.

To be reported.

Appellant's Cost in the Court of Appeals of Maryland,

Record \$ 28.50

Brief

Appearance Fee . . . 10.00

Clerk 1.30

\$ 39.80

Appellee's Cost in the Court of Appeals of Maryland,

Brief \$

Appearance Fee . . . 10.00

Clerk 1.45

\$ 11.45

STATE OF MARYLAND, Sct:

I, James A. Young, Clerk of the Court of Appeals of Maryland, do hereby certify that the foregoing is truly taken from the record and proceedings of the said Court of Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the

Court of Appeals, this *twenty-third*

day of *April* A. D., 1927

James A. Young Clerk
of the Court of Appeals of Maryland.

