File No. 1251 Continued.

OPINION.

DEPARTMENT OF LAW.

Baltimore, June 14, 1904.

W. Cabell Bruce, Esq.,
City Solicitor.

Dear Sir:-

1612

I have considered the matters referred to in the Mayor's letter to you of June 13th, and I am of opinion that the Mayor has no power to prohibit the issuing of a permit by the Building Inspector to himself for the erection of a Salvage Corps Building at No. 13 South Broadway, provided the plans for the building comply with all the requirements of law.

1613

In Bostock vs. Sams, 95 Md., 400, an ordinance was held void which abridged the right to build by delegating discretionary powers upon the Appeal Tax Court as to the general character of buildings to be erected.

1614

Nor do I see any objection to the Building Inspector issuing a permit to himself provided, of course, all the requirements of the law are complied with, as I understand to be the case here, and provided, of course, that good faith is exercised.

Very truly yours,

(Signed) Albert C. Ritchie,

Assistant City Solicitor.

711e No. 1251.

OPINION.

LAW DEPARTMENT.

Baltimore, June 16, 1904.

Hon. B. Clay Timanus,

Mayor of the City of Baltimore.

Dear Sir:-

Replying to your favor of the 13th inst., asking me whether you could rightfully withhold a permit for the erection of the Salvage Corps building at No. 13 south Broadway, I beg leave to answer in the negative, provided the plans for the building are in conformity with all the requirements of law.

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1615

In Bostock vs. Sams, 95 Md., 400, an ordinance was held void by the Court of Appeals which abridged the right of the citizens to build, by delegating discretionary powers to the Appeal Tax Court as to