File No. 1338 Continued.

OPINION.

1655

provision, because I think it is of absolutely no value. The Chief Engineer of the Topographical Survey and the City Surveyor have no power under this ordinance to establish building lines. All that they can do is to ascertain the actual lines and clearly mark them out, and the City, through the City Engineer, can then see to it that these lines, accurately ascertained, are conformed to by those proposing to build. Of course, if it should turn out that the lines so ascertained and marked by the Chief Engineer of the Topographical Survey and the City Surveyor are inaccurately ascertained and laid down, any property-owner could legally disregard the action of these officials.

Very truly yours,

(Signed) Edgar Allan Poe.

Deputy City Solicitor.

File No. 1338

LAW DEPARTMENT.

Baltimore, July 15, 1904.

B. T. Fendall, Esq.,

City Engineer.

Dear Sir:-

1656

Please find enclosed an ordinance which has been drafted by this Department, authorizing and directing you, with the aid of the City Surveyor and such other assistants as may be reasonably necessary, to ascertain and mark by proper landmarks the lines of the public streets, lanes and alleys within the Burnt District. I can find no authority for delegating these duties to the Chief Engineer of the Topographical Survey.

Truly yours,

(Signed) W. Cabell Bruce.

City Solicitor.

.....