File No. 2635 Continued.

OPINION.

2335

The title to Franklin Square was acquired by the City under the provisions of Ordinance Number 47, approved on the 23rd day of April, 1839, whereby it was provided that the sum of \$10,000, to be allowed for paving work &c., should be paid to James Camby and Samuel Camby, (presumably the owners) "subject however to the terms and conditions following:"

2336

This provision is followed by certain other provisions and conditions, and ther follow Section fourth "that the buildings to be erected on the Eastern side of Carey Street and on the Western side of Calhoun Street, between Lexington Street and Payette Street, respectively, and on the Northern side of Lexington Street, between Carey Street and Calhoun Street, and on the Southern side of Payette Street, between Carey Street and Calhoun Street, shall be erected on a line distant from those streets respectively, not less than fifteen feet. In view of the previsions of the Ordinance mentioned, which are hereinbefore quoted, it appears to me that no encroachment within the fifteen feet referred to in the Ordinance should be permitted.

Very truly yours,

(Signed) Joseph S. goldsmith.

Assistant City Solicitor.

File No. 2635

LAW DEPARTMENT.

Baltimore, March 7, 1905.

Edward D. Preston, Esq.,
Inspector of Buildings.
Dear Sir:-

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Referring to your favor of the 2nd. inst., I return herewith the application to you for a permit to enlarge Franklin Square Hospital, and I accompany this letter with a report dated the 6th inst. from Mr. Joseph S. Goldsmith, Assistant City Solicitor, to myself, which I hope you will find covers the ground of your inquiry.

(Signes) W. Cabell Bruce. City Solicitor.