

File No. 5332 Continued.

OPINION.

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and its right and duty so to do cannot be restricted by the act of a property-holder in refusing admission to the city officials, while in the discharge of their duties. Before attempting to break into the house, however, the Health Department must be certain that the nuisance has its origin there, because by breaking in, they run the risk of subjecting the city to a damage suit for trespass in case it develops that the nuisance is not caused by the property in question.

Yours very truly,

(Signed) Albert C. Ritchie,
Assistant City Solicitor.

File No. 5332.

LAW DEPARTMENT.

Baltimore, September 27, 1906.

James Bosley, M. D.,
Commissioner of Health,
City.

Dear Sir:-

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Referring to your favor of the 20th inst., to myself, with respect to the necessity for inspecting the property No. 2825 St. Paul Street, for the purpose of abating a nuisance, I beg leave to enclose herewith a report ~~made by myself on the subject~~ from Mr. Ritchie, Assistant City Solicitor, dated the 26th inst.

I approve his conclusions.

Truly yours,

(Signed) W. Cabell Bruce,
City Solicitor.