

File No. 10136 Continued.

OPINION.

7798

the year 1891, for the opening of Covington street, and his opinion is that the ordinance is not in accordance with law, and that an ordinance should be introduced either to grade and pave the street or to condemn and close the street in the usual manner.

I send you herewith a copy of Mr. Ritchie's opinion in which I concur.

Very truly yours,

(Signed) Sylvan Hayes Lauchheimer,
Deputy City Solicitor.

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File No. 10140.

CORRESPONDENCE.

MAYOR'S OFFICE,
BALTIMORE.

Baltimore , June 8th, 1909.

Mr. Edgar Allan Poe,
City Solicitor.

My dear Mr. Poe:-

7799

This proposition has been submitted to the Mayor's Office for solution:- Has the City the legal right to attach a notice, like the one here enclosed, to permits, thus making the approval of the Topographical Commission a condition precedent? Or, to put it conversely, can the City refuse to issue an otherwise legal permit on the ground that the requirements in the within notice have not been complied with?

It brings up the question as to how far the City can control prospective streets laid out on the plans of the Topographical Survey, which proposed streets, however, have not been actually opened or required.