

File No. 10140 Continued.

CORRESPONDENCE.

There is a matter now before the Mayor which involves the City's rights in such cases and the Mayor would like to have your ruling within the next forty-eight hours.

The main questions are:-

- (1) Has the City any legal authority for embodying any such condition, or pre-requisite, in the permits it issues?
- (2) Has the City a right to refuse a permit, legal in all other respects, unless the applicant will voluntarily accept and act on such a condition or pre-requisite?

Yours truly,

(Signed) A. S. Goldsborough,
Mayor's Secretary.

File No. 10140.

ARMSTRONG THOMAS,
ATTORNEY-AT-LAW,
BALTIMORE, MD.

Baltimore, June 8th, 1909.

7800
Mr. Preston told me over the 'phone this morning in reference to the printed notices of the Topographical Survey Commission attached to plat filed with application for permit of the Standard Oil Company to build on lot on Harford avenue, that he had been instructed to attach these notices by a former Mayor. That he had since received an opinion from the City Solicitor that his Department had no authority to impose restrictions as to building in the beds of streets projected by the Topographical Survey but not condemned by the municipal authorities or provision made for their opening.

He further stated that he did not wish to take upon himself the responsibility of not complying with an order received from the Mayor, and requested me to take the matter up with the present Mayor.

Yours truly,

(Signed) Armstrong Thomas.