

File No. 8607.

OPINION.

LAW DEPARTMENT.

Baltimore, August 12th, 1908.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

6497

I beg to reply as follows to the inquiry of City Councilman Addison B. Mullikin as to the necessity of a new advertisement before the introduction of a new ordinance to condemn and close Courtney street.

It seems to me that inasmuch as the original ordinance attempting to condemn and close Courtney street was vetoed, that all the proceedings leading up to the passage of said ordinance fall with the ordinance itself and become in consequence a nullity. Before the introduction, therefore, of a new ordinance to condemn and close Courtney street, there should be a new notice given in conformity with the provisions of Section 828 of the City Charter. That section undoubtedly contemplates the introduction of an ordinance within a reasonable time after the expiration of the six weeks' notice. Otherwise, the manifest purpose of the notice, to wit: the furnishing of an opportunity to parties interested to protest against the passage of the ordinance would be thwarted. The parties interested are certainly not bound to be forever on the alert in order that they may oppose in due time legislation of this character.

Truly yours,

(Signed) Edgar Allan Poe,
Deputy City Solicitor.

File No. 8607.

LAW DEPARTMENT.

Baltimore, August 13th, 1908.

Addison Millikin, Esq.,
Member, First Branch City Council,
Calvert Building.

Dear Sir:-

6498

After careful consideration, I am of the opinion that an entirely new ordinance will have to be introduced, accompanied by all the usual formalities for the condemnation and closure of Courtney street. The