Mr. J. A. Clarke, Buildings Engineer (cont'd)

to the land upon which the proposed building is to be constructed, but must be controlled by the statements embodied in the application. If the permit is wrongfully refused, the applicant may enforce his right by mandamus."

In view of the above, I am of the opinion that if the aforesaid application and other papers submitted in connection therewith have been filed in accordance with the provisions of Section 4 of Article 5 of the Baltimore City Code, 1927, and you believe, after taking into consideration all of the elements involved in this matter, that the proposed rebuilding can be done in a safe and secure manner, you may issue the requested permit in accordance with the usual procedure.

However, inasmuch as there may be some legal question concerning the rights of the various parties in and to the above mentioned walls, it is suggested that a statement be embodied in any permit which may be issued in the premises, to the effect that the Buildings Engineer has not attempted to determine any rights which any of the various parties may have in and to the aforesaid walls and that the person to whom the permit is issued proceeds at his own risk relative thereto.

Very truly yours,

(signed) WILLIAM H. MARSHALL

WHM/LM

Assistant City Solicitor

APPROVED:

(signed) CHARLES C. O. EVANS
City Solicitor