File No. 1294 Continued.

CORRESPONDENCE.

changes in the matter of paving, or must I permit them to restore the paving to the condition in which it was prior to the regrading? correcting, of course, any defects which might exist.

Very truly yours,

(Signed) B. T. Fendall,

City Engineer.

File No. 1294.

OPINION.

LAW DEPARTMENT.

Baltimore, June 25, 1904.

W. Cabell Bruce, Esq.,
City Solicitor.

Dear Sir:

As requested by your favor of June 22d, I send you herewith my report upon the matters referred to in Mr. Fendall's letter to you of June 22d, with reference to the obligation of the Railway Company as to the repaying of streets in the Burnt District.

Section 29 of the Burnt District Act authorized the Mayor and City Council to make an appropriation, from the Western Maryland Fund, "for the purposes of paving or repaving, and kerbing or rekerbing, any street, &c., under this Act".

Ordinance No. 69, approved April 16, 1904, provided for the fixing and changing of grades in the Burnt District, subject to the approval of the City Council.

By Ordinance No. 91, approved June 7, 1904, the establishment of the grades, as fixed by the City Surveyor, was approved by the City Council.

and directed the City Engineer to grade and regrade, pave and repave, kerb and rekerb, the streets, &c., within the Burnt District. The sum of \$200,000 was appropriated, from the Western Maryland Fund, "for the purpose of defraying the cost and expenses" of the work aforesaid.

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