OPINION.

File No. 3791 Continued.

nection with Section 3 of the same ordinance, the duty was cast upon the Street Railway Company as to its existing railway lines or tracks or franchises on or in the public highways of Baltimore City, to keep the spaces between its tracks and extending for a distance of two feet on either side thereof, including the floors of bridges belonging to the City, of whatever material the same may be constructed, in thorough repair.

From these statements you can, I hope, deduce the extent of the Street Railway Company's obligations in the relation to which you refer. So far as the public is concerned, the City is primarily responsible for the defective condition of all public streets and public bridges, without reference to the mutual obligations existing between the Street Railway Company and itself.

2981

Truly yours,

(Signed) W. Cabell Bruce,

City Solicitor.

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CORRESPONDENCE.

File No. 3792.

DEPARTMENT OF PUBLIC IMPROVEMENTS.

SUB-DEPARTMENT OF CITY ENGINEER.

Baltimore, November 22,1905.

Hon. W. Cabell Bruce,

City Solicitor.

Dear Sir:-

I attach a letter from Mr. Hugh Caperton, regarding a bill rendered against him for paving a footway.

2982

Should this bill be sent to the leaseholder, as set forth in Mr. Caperton's letter, or should it stand as at present?

Very truly yours,

(Signed) B. T. Fendall,

City Engineer.

Re. 204 W. Preston St.
21.