File No. 4732 Continued.

OPINTON.

tained in the letter of May 10th from the Water Board, in respect to the telephone line connecting the municipal switchboard with the stations of Loch Raven, Lake Roland, Hampden and Guilford Reservoirs.

The first inquiry is as to whether the Maryland Telephone
Company is, by its contract with the City, obligated to rebuild the
line mentioned or to maintain service between the City and the points
mentioned. I reply to this in the negative.

I have talked the matter over quite fully with Mr. Quick, and with Mr. Phelps, and I find that the municipal switchboard is the property of the City and that the telephone lines to Loch Raven, lake Roland, Hampden and Guilford Reservoirs were erected by the City and that direct communication with these points can be made through the municipal switchboard without the aid at all of the Maryland Telephone system. Indeed, on the 23rd day of August, 1905, the City entered into an agreement with the Maryland & Pennsylvania Railroad Company by which the City obtained permission to use the poles and the pole lines located upon the rights of way of the Maryland & Pennsylvania Railroad Company, which poles and pole lines are the means of communication with the four reservoirs above mentioned, upon the City's agreeing to maintain and keep in good order the said poles and pole lines. This agreement was to remain in force for the period of three years, with the right to either party to terminate the same upon giving three months' written notice to the other party of his intention so to do.

The agreement between the City and the Maryland Telephone
Company provides for connecting the municipal telephone system and the
telephone system of the Telephone Company by certain trunk lines, and
also provides for a charge of two cents for every outgoing local message
transmitted over the system of the Telephone Company. The telephone
lines to the four reservoir points are not a part of the trunk lines
referred to, and as already stated, communication with these four points
can be obtained through the municipal switchboard without the necessity
of using at all the telephone system of the Maryland Telephone Company.
It is clear, therefore, that the lines in question are a part of the
municipal system and do not in any may constitute a part of the system of
the Telephone Company, and the Telephone Company is under no obligation
to keep in repair the wires of the City.

The second inquiry is as follows: "If the Maryland Telephone
Company is not so obligated, can the City take the service from the
Chesapeake & Potomac Telephone Company for the four stations mentioned

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