File No. 4732 Continued.

OPINION.

which are now on the Maryland Telephone municipal exchange?"

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I reply to this in the affirmative. There is nothing in the contract between the Maryland Telephone Company and the City prohibiting the City from making a contract for telephone service with the Chesapeake & Potomac Telephone Company. As already shown, the four stations mentioned are not a part of the Maryland Telephone system, but belong to the City exclusively, and are simply incorporated with the Maryland Telephone system by means of the trunk lines.

In the letter from the Water Board, the Board says as follows: "We have had a proposition from the Chesapeake and Potomac Company to give us a satisfactory telephone service between the four stations, over its own lines, and to maintain the lines for \$696.00 a year, to connect with its exchange in the City Hall."

From this it appears that the Chesapeake & Potomac Company will furnish the service over its own lines by the use of its exchange in the City Hall in connection with the City's property, and will in no way whatsoever make use of the property of the Maryland Telephone Company. This use of the City's property, in connection with the Chesapeake & Potomac Company's property, interferes in no way with the use by the Maryland Telephone Company of its own property; hence, unless the contract between the City and the Maryland Telephone Company expressly prohibits such use, such use is manifestly permissible; and the contract does not prohibit such use, as already stated.

Very truly yours, (Signed) Edgar Allan Poe, Deputy City Solicitor.

File No. 4732.

LAW DEPARTMENT.

Baltimore, May 16, 1906.

Alfred M. Quick, Esq.,

Pres. of the Water Board.

I reply to your letter of the 10th inst. with reference to certain telephone lines of your department by enclosing a report dated

3562