OPINION.

File No. 4783 Continued.

the City Engineer, and shall be constructed and laid down so as not to interfere with or encroach upon the sidewalks or gutters now laid out and existing upon or along the streets mentioned in the ordinance, "except as hereafter authorized". These words were manifestly inserted in the ordinance for some purpose, and I think that the purpose was to enable sidewalks to be encroached upon wherever the proper construction of the tracks rendered such encroachment necessary. I would suggest that the encroachment be as slight as possible, and that no encroachment be permitted by you except what is really necessary.

3595

It follows from what I have said that I do not think that any special ordinance is necessary to authorize you to narrow the sidewalk in question.

Truly yours,
(Signed) W. Cabell Bruce.
City Solicitor.

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CORRESPONDENCE.

File No. 4796

DEPARTMENT OF PUBLIC IMPROVEMENTS,
SUB-DEPARTMENT OF CITY ENGINEER.

Baltimore, May 21, 1906.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

3596

I attach herewith a copy of a permit issued to Wm. H. Grafflin by the direction of the Commissioners for Opening Streets. The Police want to know if this is a legal permit.

The ordinance providing for the opening of the bed of a street refers to paved streets. This is a street which is neither graded nor