File No. 4992 Continued.

OPINION.

the conclusions reached by Mr. Poe.

Truly yours,

(Signed) W. Cabell Bruce,
City Solicitor.

File No. 4994.

CORRESPONDENCE.

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

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Baltimore, June 29, 1906.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

The <u>permit</u> issued by this Department for opening streets, provides that the paving over such openings must be maintained for a period of <u>three</u> years. A number of Plumbers in this City, as you will no doubt recall, filed with us bonds, covering the maintanence of paving done by them for <u>sighteen months</u>, and make no deposit to cover the cost of repairs to streets that they may open.

We have found it necessary to repave over a trench which was opened three years ago. The firm responsible for this opening claims that their bond is for <u>eighteen months only</u>, and that the provision in the permit naming three years as the time during which the paving is to be maintained, will not stand as against the period of the bond, which is eighteen months.

I enclose you one of my permits from which you can see the exact wording of the three year provision, also one of the bonds executed by the various Plumbers in which the terms and conditions are fully set forth.

I shall be obliged if you will advise me whether I may legally hold the Plumber for the three year period as set forth in the permit, or

3647