

File No. 5722.

CORRESPONDENCE.

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

Baltimore, January 7, 1907.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

4204

We have already had a great deal of trouble in the matter of maintaining any sort of improved paving in the street car tracks. Of course, the duty of maintenance comes upon the Street Railway Company, but in letting contracts, we bond our contractors to take care of a condition which of necessity must be expensive to them, and they naturally protect themselves by charging an additional price to the amount that the City would otherwise pay.

You have already decided that it is not proper to relieve the Contractor of the maintenance of his paving in the street railway tracks.

In order that we may get better paving in the street car tracks, the Street Railway Company should lay their tracks upon a concrete base, similar to the method followed by the Traction Company in Philadelphia.

The question is, could I require the Street Railway Company to go to the additional expense of concreting under the ties, or using the Philadelphia method of construction which is probably the best in this country. Will please advise.

Very truly yours,

(Signed) B. T. Fendall,
City Engineer.File No. 5722.

OPINION.

LAW DEPARTMENT.

Baltimore, January 12, 1907.

Hon. W. Cabell Bruce,
City Solicitor.

Dear Sir:-

4205

As requested by your favor of January 8th, I have considered Mr. Fendall's letter of January 7th, in which he asks whether the city can