

File No. 9020.

CORRESPONDENCE.

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

Baltimore, November 4, 1908.

Edgar Allan Poe, Esq.,  
City Solicitor.

Dear Sir:-

You no doubt recall that Mr. Carter, acting as Counsel for the United Railways & Electric Company, ruled that the City could not require the Railways Company to repair a guaranteed street in the Railways Company's tracks, during the period of the guarantee, unless the Railways Company had actually disturbed the pavement to re-adjust its tracks.

There is a question, which has lately arisen, a little different from any ordinary guaranteed street, that is to say, the paving in the tracks on Fayette street, from Charles to Calvert street, and on Calvert street, from Baltimore to Lexington street, which was originally wood block, has been removed and replaced with Medina Sand Stone. The Contractors, of course, could not be held to their guarantee so far as this Medina Sand Stone is concerned.

~~This work was done under a special order from the Mayor, so that~~ a part of the street would afford a proper foothold for horses in slippery weather.

Owing to bad joints and other defects in the Railways Company's tracks, there are places where these Medina Sand Stone Blocks are continually working loose.

In my judgment, Mr. Hood should take care of this. Will you kindly advise as to your views of the case.

Very truly yours,  
(Signed) B. T. Fendall,  
City Engineer.