

File No. 9021 Continued.

CORRESPONDENCE.

has been our intention from the first to lay a railroad track in Canton and East Falls Avenues, running into the Station building and connecting with the B. & O. R. R. track in President Street and with the Pennsylvania R. R. track in Canton Avenue. The making of this latter connection would involve crossing the B. & O. R. R. track in President street.

I have just learned that the B. & O. R.R. has recently laid a track in Canton Avenue, extending nearly to East Falls Ave. and connecting with their track in President street, and that the location of this track is practically the same as that which had been tentatively selected by us.

The laying of this track somewhat complicates the situation, as it apparently cuts us off from the desired connection with the Penna. R. R. We had planned to construct the track between the Pumping Station and the connections to the two railroads ourselves, so that there could be no question as to the ownership and use of the track, but if, this track in Canton Avenue having been laid by the B. & O. R. R. Co., it is necessary for us to utilize it, there might be objection on the part of the B. & O. R. R. both to crossing their track in President Street with a connection to the Penna. R. R. track, and also to the use of that part of their track in Canton Ave., between President Street and the end of our connection.

Will you kindly let me know what is the legal status of the B. & O. R. R. in this street, and what effect the laying of this track will have on our plans? In particular I would like information on the following points:

First - In case it should be decided that it is advisable for the City to retain ownership and control of the entire length of the track between the Pumping Station building and the connections to the two railroads, can the B. & O. R. R. be required to remove its track in Canton Avenue so as to leave the street free for our work?

Second - If the removal of this track cannot be required, can the B. & O. R. R. be obliged to permit a connection to be made between this track and the Penna. R. R. tracks in Canton Avenue on the east side of President street, and to permit a joint use of that part of the track between the end of the above mentioned connection and the