

File No. 9678 Continued.

OPINION.

for convenient access to, the former. It is my opinion that, on that account, the jurisdiction of the Park Board ought to extend over the adjoining sidewalks just as it does over walks running through the squares. Both are there merely because of the existence of the parking.

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The burden is not usually on the City Engineer, in this city, to keep sidewalks in repair. He, of course, gives notice when such walks are in need of repairs, but the repairs are expected to be made by, and at the expense of, the abutting proprietors. By analogy, the municipal officials who have charge of the parking ought to be held responsible for the condition of the adjoining sidewalks. I do not doubt that the city can, by Ordinance, if it should see fit, place such sidewalks under jurisdiction of the City Engineer, in almost all cases. The facts in regard to the sidewalks around Harlem Park were exceptional.

As the provisions of Law and Ordinances now stand, however, the Board of Park Commissioners is, in my judgment, as I stated above, responsible, in ordinary cases, for the condition of the sidewalks adjoining public squares.

Very truly yours,

(Signed) Joseph S. Goldsmith,

Assistant City Solicitor.

File No. 9678.

LAW DEPARTMENT.

Baltimore, April 13, 1909.

B. T. Fendall, Esq.,
City Engineer.

Dear Sir:

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Replying to your letter of the 2nd ultimo, asking me to advise you upon whom the obligation is cast to maintain the pavement at the ends of the Broadway squares, I enclose herewith a copy of a letter, dated the 12th inst., from Mr. Joseph S. Goldsmith, Assistant City So-