

File No. 9692 Continued.

CORRESPONDENCE.

will cost about \$2,500. The property owners along the street want a better pavement, which they are proposing to lay themselves, but ask me to help them out on this work, to the extent of contributing to the new and improved pavement, so much money as I would spend in laying the macadam pavement heretofore referred to.

They expect, of course, to get the usual ordinance through the Council authorizing them to pave the street at their own expense.

Is there any legal objection to my complying with their wishes, assuming, of course, that the Mayor approves of such action on my part.

I shall be glad to hear from you on this subject at your earliest convenience.

Very truly yours,

(Signed) B. T. Fendall,
City Engineer.

File No. 9692.

OPINION.

LAW DEPARTMENT.

Baltimore, March 10th, 1909.

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

Dear Sir:-

I reply as follows to your favor of March 5th, in reference to the paving of Canton street from Baltimore street to the Philadelphia Road.

If you intend to expend \$2500.00 in repairing this street, and after that money is expended simply have a macadam street, and the property owners are ready to pay the difference between \$2500.00 and the cost of an improved pavement on the street, I would advise you to endeavor to comply with their wishes and not consider too closely the legal aspect of the matter.

You speak of the property owners introducing an Ordinance into the Council; what occasion is there for doing this? Is the