

File No. 9764.

CORRESPONDENCE.

NORTHERN CENTRAL RAILWAY COMPANY,  
PHILADELPHIA, BALTIMORE & WASHINGTON  
RAILROAD COMPANY.

Baltimore, March 23, 1909.

In the matter of the proposed Ordinance to  
repeal Section 16 of Article 30 of the Bal-  
timore City Code of 1906.

Edgar Allan Poe, Esq.,

City Solicitor, Baltimore.

Dear Sir:-

7330 Having been informed that the above mentioned Ordinance has  
been referred to you for your opinion as to the right of the City to  
pass it, and supposing that Mr. Hoffman, the Chairman of the Committee,  
has sent to you our letter to him of April 14, 1908, we desire to sub-  
mit to you, in connection with that letter, the following:

In that letter, referring to the 10th Section of the Charter  
of the Union Railroad Company of Baltimore, as amended by the Act of  
1870, Chapter 412, in which there is an express grant to all Railroad  
Companies to run their locomotives on the Union Railroad, we said that  
as, by the then existing Charter of the Philadelphia, Baltimore & Wash-  
ington Railroad Company and the Northern Central Railway Company, those  
Companies were authorized to use steam locomotives, the Act of Assembly  
operated as an express grant to them to use steam locomotives on the  
Union Railroad.

In this connection it will be found that, by the Charter of  
the Baltimore & Port Deposit Railroad Company, Act of 1831, Chapter  
288, Section 20, (to all of whose rights the Philadelphia, Baltimore &  
Washington Railroad Company has succeeded); and the Charter of the  
Baltimore & Susquehanna Railroad Company, Act of 1827, Chapter 72,  
Section 20, (to all of whose rights the Northern Central Railway Company  
has succeeded); and the Charter of the Baltimore & Potomac Railroad Com-  
pany, Act of 1853, Chapter 194, Section 15, (to all of whose rights the  
Philadelphia, Baltimore & Washington Railroad Company has succeeded);  
and all the rights and powers granted by said Charter are granted to  
the Union Railroad Company, except as regards matters specifically  
dealt with in the Charter of the Union Railroad Company) (See Fielert's  
Public Service Corporations, page 524); it is provided that each of