

File No. 9779 Continued.

CORRESPONDENCE.

to cover this, and I am not able to determine the exact meaning of these two Sections, and respectfully request a ruling by you as to whether or not I must wait until a street is in a dangerous condition before I can require the Railways Company to make repairs.

Very truly yours,

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

File No. 9779.

OPINION.

LAW DEPARTMENT.

Baltimore, March 29, 1909.

B. T. Wendall, Esq.,  
City Engineer.

Dear Sir:

I reply as follows to your letter of March 27th, relative to the repairing of the two foot strip alongside of the United Railways Company's tracks on Lexington street.

I call your attention to Art. 30, Secs. 24, 25, 26 (Fielert's Ed.), as fully covering the situation. The obligation of the Railways Company, in reference to the street surface between the tracks and two feet beyond the tracks, is to keep the said surface in thorough repair.

Whenever said surface is no longer in thorough repair, the City Engineer has the authority to call upon the Railways Company to put the same in said state of thorough repair, and if his order is disregarded he can then make the repairs himself and charge the cost thereof, with 10% additional for supervision and use of tools, to the Railways Company.

Very truly yours,

(Signed) Edgar Allan Poe,  
City Solicitor.

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