

File No. 9986 Continued.

OPINION.

7662

When the time comes to compel the railroad to make the change, then, in my judgment, an ordinance is necessary. I have drafted such an ordinance, but have not had it typewritten, because for the reasons given I do not think it should be submitted now. There is also a probability that at the proper time the railroad could be compelled to act by the Mayor, and by the authority conferred by Code, 1906, Article 30, Section 19, relating to the removal of tracks when the mode of construction thereof is such as to cause an obstruction or impediment to the ordinary use of a street.

Very truly yours,

(Signed) Albert C. Ritchie,
Assistant City Solicitor.

File No. 9986.

CORRESPONDENCE.

FIRST BRANCH CITY COUNCIL
OF BALTIMORE.

Baltimore, May 28th, 1909.

Albert C. Ritchie, Esq.,
Court House,
City.

Dear Sir:-

4663

Mr. Fendall spoke to me the other day in reference to an ordinance for placing the tracks of the United Railways in the center of Edmondson avenue west of Calverton Road to the new bridge across Gwynns' Falls. I took this matter up several weeks ago with Mr. House and he promised me at that time to consult with the engineers of the Company. I have not heard from him since.

I took this matter up, in the first place, at the suggestion of the owners of the Western Cemetery, who own twelve hundred front feet on the south side of Edmondson avenue west of Gwynns' Falls. They desire to put an improved pavement on their property and to beautify it by planting trees along the curb.